

# Law Enforcement News

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## Good, better, best

### What makes some sergeants a cut above the rest?

What is it that separates an excellent sergeant from one who is merely good? The ability to devise creative solutions that take into account life's moral ambiguities is a key ingredient, and a more prudent use of sick leave doesn't hurt.

Those were the surprising findings of a National Institute of Justice study that attempted to tease out those differences by examining the work habits and backgrounds of a small sample of Baltimore's first-line supervisors.

In the report, "Identifying Characteristics of Exemplary Baltimore Police Department First Line Supervisors," researchers from Johns Hopkins University and the College of Notre Dame of Maryland used a focus group of commanders, police officers and supervisors to develop a set of characteristics that could be used by peers to identify sergeants they considered exemplary, and those who were less so.

Participants in the study were asked to think about supervisors they had known since 1985 and name the one they felt best met the criteria for leadership identified by a focus group of commanders, officers and sergeants. They were also asked to choose a second-best, and explain what it was that placed those supervisors in the second ranking.

Among the traits identified as vital by the focus group were character and integrity; knowledge of the job; management skills; communication skills; interpersonal skills; ability



Some sergeants really earn their stripes.

to develop entry-level officers, problem-solving and critical thinking skills, effectiveness as role model and as disciplinarian, and the ability to be proactive.

In all, 24 exemplary sergeants were nominated, and 26 of their less-effective peers who were used as controls. Of 38 variables, the two groups rated the same on 14 of them, including parents with strong work ethics; education levels; achievement and power as motivating factors, and "tough

mindfulness" as a personality characteristic.

Where the groups differed significantly, however, was on tests given by researchers which rated moral reasoning, their tendency to select friends, relatives and authority figures in their lives as examples of moral excellence, as compared to the well-known historical or religious figures selected by the controls, and their use of non-line of duty sick days.

Those three factors were cited by the study as being the most distinguishing characteristics between the two groups.

"The most important difference was the moral reasoning," said Phyllis P. McDonald, director of research for Johns Hopkins University's School of Professional Studies in Business and Education, who was the NIJ program manager for the study. "They could solve police-related moral issues far better than their peers. They came up with more solutions, they were more complete and they were just better quality solutions."

While the control group, or peers, as the study calls them, did not take many sick days during their first year as sergeant, they rose to the level allotted and stayed at the level over the years. In contrast, the exemplary sergeants' sick days had peaks and valleys because they took leave only when a duty-related injury required it.

Although more research is needed to determine whether it is a matter of better moral

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## Tough Chicago neighborhood to get extra attention from police, prosecutors

Englewood, a four-square-mile Chicago neighborhood where more than 700 people have been killed in the past decade, including 61 in 2002, will be one of the first areas in the city where a pilot program, to be launched in March, will take aim at permanently removing drug dealers from street corners.

The project is called ROGUES, short for Repeat Offender Geographic Urban Enforcement Strategies. Under the plan, the Cook County prosecutor's office will assign each of the 11 assistant district attorneys in its narcotics felony trial unit to a police district that

has been identified as having heavy narcotics trafficking going on near schools, churches and other "safe places." When an individual is identified by law enforcement and the community as being a problem because of gang membership, a history of violence or a high incidence of narcotics busts, the ROGUES team will be notified. The appropriate assistant O.A. will then follow the case from beginning to end.

"Traditionally, these cases would just be sent to the assistants who man the regular felony courtrooms who are rotated around a lot," prosecutor Joe

Magats, a supervisor in the unit, told Law Enforcement News. "Because of people being transferred, people leaving or promoted, a case comes in and 99 percent of the time it's a totally different assistant who works up the case for trial and another who tries the case due to the transient nature of the assignments in these courtrooms. This way, the person has special attention from the get-go."

In effect, the defendant has his or her own personal prosecutor. With 30 felony courtrooms and caseloads of 300 to 500, two-thirds of them involving

narcotics, Magats said many of the defendants take advantage of the high volume and the anonymity that the nature of the system affords them. They use the same defense at trial, often calling the same "cast of characters" as witnesses.

"The reason it works is it's all new to a new judge hearing it, and a new assistant trying the case," he told LEN. "We're going to have someone just assigned to them to track them so they know all the dodges and can better handle them."

In addition, prosecutors will also ask judges for restrictions that will keep the defendant from returning to the same corner once arrested. Magats cited the example of one 26-year-old dealer who was arrested more than 40 times, but was convicted only once, and given probation.

According to Wesley Skogan, a professor of political science at Northwestern University who for the past decade has evaluated the Chicago Police Department's community-oriented policing initiative, known as the Chicago Alternative Policing Strategy (CAPS), Englewood is among the city's neediest neighborhoods.

"When Chicago started its program in 1993, they picked five experimental districts to work in and one of the five was Englewood," Skogan told LEN. "So it got an early start. The commander there, I think, was very smart in terms

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## The wrong time to find out that emergency alert system doesn't work

By Jennifer Nislow

When a freight train carrying anhydrous ammonia derailed last year just outside of Minot, N.D., sending out a deadly plume of gas, the city's police department learned the fallibility of its emergency broadcast apparatus under the worst possible circumstances.

The accident occurred just after 1:30 a.m. on Jan. 18, 2002. Seven of 31 Canadian Pacific Railway freight cars that had been carrying the substance ruptured, spilling an estimated 290,000 gallons into the ground, onto the frozen Souris River and filling the air with a lethally toxic cloud. One man was

killed and hundreds of others were injured, along with pets and livestock. In all, 97,000 tons of contaminated soil and 25,000 square feet of frozen river ice had to be hauled away.

"What I would tell other agencies, any dispatching facilities that have the responsibility to disseminate information through" and emergency alert system is "get to know your radio station," said Lt. Fred Debowey.

At the time of the accident, Minot still had what it believed was an operational Emergency Broadcast System (EBS) that would allow police to call up the local radio station and have it

issue an emergency warning. The EBS was replaced in 1994 with the Emergency Alert System. Minot had both, Debowey told Law Enforcement News.

Of the city's seven radio and two television stations, six — all owned by Clear Channel Communications — are housed in two buildings some distance apart, with one technician for all of them, Debowey said. One of those, called the LPI, takes the emergency alert signal and either manually or automatically forwards it, depending on whether the equipment is set up to do that. It failed when the EAS signal regarding the derailment was sent from

Minot Central Dispatch.

"Part of that was our fault," Debowey acknowledged. "When we put in the new generator for backup power for Y2K, we would get a power surge that erased all the information that was programmed [into it]."

The signal was not received by the radio station, thus the alert could not be sent out automatically. Even if it had worked, said Debowey, the station would have not received it because their radio had the wrong crystal.

"I'm going to say it's a crystal because it's an old radio," said Debowey

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# Around the Nation

## Northeast



**CONNECTICUT** — In Middletown, police radio transmissions have been suffering disruptions for more than a month by a mysterious rogue frequency, which officials think may be caused by weather. Although the Federal Communications Commission was asked to try to pin down the source, they only sent representatives during the day because of manpower limitations, and the disruptions appear to happen mostly at night. The communications vendor has been unable to pinpoint whether the rogue frequency is a government frequency, a malfunction or an act of maliciousness.

**MAINE** — Sianne Bermudez, a 23-year-old woman, was fined \$300 after pleading guilty to charges that she made up a story about a police officer raping her. Bermudez had been arrested on charges of criminal mischief and assaulting two officers in connection with a break-in. She then alleged that following her arrest, she was raped in the back of a police van on the way to the jail. An internal affairs investigation found no evidence to support the allegation.

**MARYLAND** — U.S. District Judge Andre M. Davis said in court transcripts that "fumbling and bumbling" of criminal cases by Baltimore police has forced him on two occasions to throw out evidence, including a \$200,000 seizure of heroin. In January, Davis ruled that the police illegally seized the drugs after preparing a warrant affidavit that contained "knowing lies."

The Montgomery County Ethics Commission ruled March 20 that Police Chief Charles Moose cannot write a book or serve as a consultant for a TV movie about the Beltway serial-sniper case last fall, because in doing so he would be using his position and prestige for personal gain. Moose can appeal the decision, although he was not immediately informed of the ruling because he was recently called up to active duty as a major in the Air National Guard.

**MASSACHUSETTS** — Gov. Mitt Romney has proposed restoring the money that was cut last year for a study of racial profiling. If approved by the Legislature, Romney's budget would allocate \$840,000 to track the race and gender of drivers who are given traffic warnings. In addition, state Public Safety Secretary Edward Flynn has appointed a 57-member task force to help measure whether police agencies are engaging in profiling.

**NEW HAMPSHIRE** — A University of New Hampshire poll has found that 95 percent of Durham residents approve of the job performance by their police. Eighty-eight percent of residents said they feel safe walking during daylight in their own neighborhoods and 92 percent feel safe walking downtown at night.

Despite opposition by the State Police, which has been providing a special weapons and tactics unit for more than 25 years, 18 localities are considering forming their own regional SWAT team.

The unit, which will draw officers from Merrimack, Grafton, Carroll and Belknap counties, will be headed by Holderness Police Chief Merritt Salmon. Each community would spend about \$2,500 a year for training. Voters will decide at town meetings on whether to adopt the plan.

**NEW JERSEY** — Edwin Figueroa is hoping to improve the emergency dispatch system and reduce a backlog in internal affairs cases while serving as Camden's interim police chief. Figueroa, who had been deputy chief, took over for Robert E. Allenbach, who was suspended as chief on March 6 and now faces unspecified administrative charges that could lead to his dismissal. Figueroa said that he would offer to stay if Allenbach does not come back.

**NEW YORK** — Six men are in custody for the murders of two New York City police detectives, Rodney Andrews, 34, and James Nemorin, 36. Both cops were shot in the head and then dumped on a street in Staten Island, after an undercover gun buy-and-bust operation went bad. The suspected ringleader, Omar Green, was allegedly hoping to rob \$1,200 from the undercover officers, which they had offered to buy a Tec-9 semiautomatic pistol. He sent Ronell Wilson, the alleged triggerman, and another suspect into the officers' vehicle, where police believe Wilson then shot the officers and fled without taking any money. During the operation, the officers' transmitters failed and backup police lost their trail. Both Andrews and Nemorin were seven-year veterans with exemplary service records.

The Buffalo police union has agreed in principle to accept single-officer patrols in exchange for the city's agreement to drop its appeal of an arbitrator's pay raise to officers. The one-officer patrols are expected to save the city \$14.3 million over the next four years. In return, officers would get a one-time, across-the-board pay increase of \$5,000 per officer, a three-year 1-percent raise and a cost-of-living adjustment cap.

**PENNSYLVANIA** — Police supervisors purchased new helmets for all Pittsburgh motorcycle officers, after mistakenly believing that existing helmets had failed government safety tests. The problem began when an officer saw a helmet for sale in a police uniform store that did not have a Department of Transportation sticker on it. The officer then searched the web and found a site by a group opposed to mandatory helmet laws that listed the model on a list of helmets that failed National Highway Traffic Safety Administration testing. A spokesperson for NHTSA said, however, that only one test result didn't match up, but that didn't mean the helmet had failed the standard. In fact, the testing satisfied the government that the helmet was safe.

About 200 police officers and their supporters marched on City Hall in Allentown on March 6, denouncing what they perceived as recent criticisms of the police force by Police Chief Stephen L. Kuhn and May Roy Afflerbach. The chief and the mayor are pressing for a new drug policy that would mandate the dismissal of any officer who tests positive for drugs. In a statement issued after the protest, Afflerbach called the proposed new drug policy a safeguard,

not an accusation.

**RHODE ISLAND** — Fourteen school resource police officers are undergoing orientation in Providence after an incident in which a student fired a gun into the ceiling at Mount Pleasant High School. The resource officers will combine a traditional law-enforcement role with teaching and counseling. Most of the officers will be assigned to local high schools.

## Southeast



**FLORIDA** — According to a report by a city auditor, the Miami Police Department has lost over \$24,000 in cash seizures from its property room. The loss includes about \$3,000 that Gilda Elaine Scott, a supervisor in the property unit, has admitted to taking. The audit criticized lax deposit procedures and poor record-keeping.

In Zephyrhills, five police officers and a paramedic recently completed military-style training to become the city's first SWAT team. The training, which entailed four 14-hour days, included lessons in man-down drills, night-vision shooting and antiterrorism preparation. Each of the police department's squads has a representative on the team and the city's only certified paramedic is the sixth member. The group is unique in Pasco County in that no other SWAT team has a paramedic in its ranks.

**GEORGIA** — Dekalb County commissioners have revised the local nuisance ordinance to make it easier to demolish properties used for drug crimes, prostitution or illegal gambling. The new policy now allows police to cite a home as a public nuisance if the owner is involved in illegal activity, and a judge can fine the owner for each separate complaint of unsafe or unsanitary conditions. Failure to comply gives the police grounds to demolish the house.

**MISSISSIPPI** — Starkville patrolman Charles McAnnally is turning his love of scuba diving into a crime fighting tool by building a 12-officer team of police divers. The unit, dubbed the Blue Lightning Dive Team, will gather evidence, conduct rescues and recover property from the waterways of the Golden Triangle region. McAnnally, while completing his own diving course in Orlando, Fla., helped police there locate seven stolen vehicles.

**NORTH CAROLINA** — Wilmington police and the New Hanover County sheriff's department will no longer work together on law enforcement efforts to fight drugs and vice, after an apparent disagreement between the two departments. The two joined forces six years ago when Police Chief John Cease approached then-sheriff Joe McQueen, but Cease and the current sheriff, Sid Causey, have gone their separate ways for undisclosed reasons.

**SOUTH CAROLINA** — The Union Daily Times is suing the Union County Sheriff's Department under the Freedom of Information Act for withholding a report regarding a November

shoplifting arrest. Sheriff Howard Wells said that the report was made unavailable because the offender was admitted to a pretrial intervention program. According to The Times, the woman has applied for a job as the county school district superintendent.

**TENNESSEE** — The Chattanooga Police Department is expanding its Web site to include facts about methamphetamine in order to help residents recognize drug labs that could be operating in their neighborhoods. The Southeast Tennessee Meth Task Force has also given posters to local businesses to help employees identify potential meth makers. In 2002, there were 546 labs seized in the state. Seventy-one of those, the most in the state, were in neighboring Marion County.

**VIRGINIA** — Facing state budget cuts, Radford Police Chief West Terry proposed a plan to the City Council that would return officers to a 42.5-hour work week, a system that the council did away with two years ago. Officers now work a 40-hour week and the change would not come with a pay increase, meaning that officers would effectively lose about \$1,500 a year under the new plan. Terry, however, said that while the officers would have to work 104 extra hours a year for the same net pay, other benefits, like the new take-home car program, would balance out the inconvenience.

The Richmond City Council has given Police Chief Andre Parker the go-ahead to purchase 20 to 30 video surveillance cameras to use in high-crime areas. The cameras, which will be movable and concealed and monitored part-time by a police officer, will cost \$375,000. A handful of other cities, including Washington, D.C., and Baltimore, already use such systems. Some critics say such surveillance systems are an invasion of privacy.



**ILLINOIS** — Responding to union pressure, the Chicago Police Department has agreed to find a private company to transport bodies to the morgue. For years, police officers had to perform the task, which requires that they scrub down their vehicles afterwards.

A proposal that would require police to videotape interrogations in murder cases has been passed unanimously by a State Senate committee. The proposal is part of a legislation package designed to prevent wrongful convictions in death penalty cases. Although the current proposal would limit the videotaping requirement to death-penalty cases, Senator Barack Obama said that it would probably be extended in the future.

The Bloomington Police Department will be replacing antiquated equipment with about \$30,000 worth of military-grade gas masks and supplies. Assistant Police Chief Jeff Sanders said that it was probably a good idea to re-supply in light of the Middle East and homeland security issues. The masks could help protect officers from tear gas, biological threats and other airborne compounds.

Peter J. Mannix walked into a Chicago jewelry store and swallowed a three-carat diamond valued at around \$37,500. Although he was caught and left the store in handcuffs, investigators had to wait for the evidence to make its way through his intestinal tract. For a week, officers poked through Mannix's bowel movements until he finally gave up the gem. Sgt. Joseph Petrenko noted that "some courageous volunteers went beyond the call of duty."

**INDIANA** — In northwest Indiana, authorities are expanding their system for tracing weapons from crime scenes to include any bullet or casing that gets turned in, regardless of whether or not it is from a crime scene. Unique markings on bullets or casings can tell investigators what gun was used and where it was sold. Gary Police Chief Garrett Wilson has issued guidelines for officers to obtain information about a weapon's history from dispatchers during traffic stops or other calls.

**KENTUCKY** — Danny Shelley, the 31-year-old who fatally shot Pulaski County Sheriff Sam Catron, was sentenced to life in prison as part of a plea bargain. In return, Shelley agreed to testify against two other men charged with plotting the murder. Catron was shot while delivering a re-election speech on April 13, 2002, at a campaign event in Shopville. Jeff Morris, a former deputy sheriff who was challenging Catron's election in 2002, and Kenneth White, who was helping Morris with his campaign, have both been charged with murder. They could still face the death penalty.

Two burglary suspects were killed in a crash that ended a pursuit by Shepherdsville and Bullitt County police. The men were first chased on foot after police answered a burglar alarm at a restaurant. The suspects then jumped into a stolen church van and the chase continued until the van went out of control about two miles from the restaurant and overturned several times.

**MICHIGAN** — A police officers' union has blasted the Wayne County Airport Authority for eliminating 19 vacant patrol officer positions at the Detroit Metropolitan Airport. Union president Ryan Florios said that the airport authority is "playing fast and loose" with people's security, but a spokesman for the authority insisted that the airport meets federal security requirements.

**OHIO** — The state attorney general has advised county prosecutors that it would be illegal to put advertising on sheriff's department cruisers. While the opinion is non-binding and does not mention local governments, it appears to discourage villages and townships from using vehicles with advertising. The opinion came at the request of the Meigs County prosecutor, who asked on behalf of county commissioners. County Sheriff Ralph Trussell had been considering purchasing new ad-filled cruisers for \$1 each to replace his aging fleet.

**WEST VIRGINIA** — Mired in debt from unpaid taxes, workers' compensation, court fees and unemployment costs, the Clendenin Town Council has eliminated two police department positions to pay its bills. The council had previously cut officers' hours from 40



to 32 a week, and now will be cutting the department down to four officers. The town will have to rely on the state police and Kanawha County sheriff's deputies to provide patrol coverage about 48 hours a week.

The State Police is down to 527 active officers, as call-ups of military reservists and National Guardsmen have already pulled 23 officers from the ranks, with another nine likely to be called up soon. Complicating the personnel crunch is the difficulty the agency has been having in attracting new recruits. Two academy classes began in January with 34 and 31 cadets, respectively, but 10 have dropped out and military call-ups are due to claim two others.



**IOWA** — Missouri Valley Police Chief Jason Smith has asked the City Council to impose a fine system for false alarm calls, pointing out that the town of about 3,000 residents has had over 100 false alarms since he became chief three years ago. The proposed ordinance would allow a business four false alarms before fines ranging from \$25 to \$200 would kick in.

Council Bluffs Police Chief Keith Mehlin said that an annual review of procedures has prompted police to update their policy on high-speed chases, as there is now too much traffic in the area. Mehlin added that officers are generally very careful about deciding to pursue a suspect, and about following procedures once a pursuit has been initiated.

The Bettendorf Police Department has agreed to pay \$8,000 to settle a lawsuit stemming from a practical joke between two officers. Brian Turner sued the department after being arrested for third-degree theft, which resulted in his car being seized. Sgt. Chris Kauffman had placed a note in the back of Turner's car that included a list of things Turner was going to do to another officer, Sgt. Keith Kimball. When Kimball found the list, he believed it to be real and confronted Turner in his jail cell about the note.

**KANSAS** — Hutchinson police recently gave a group of high school journalism students a realistic view of law enforcement when they pulled over the car the students were in and forced them to the ground. The students were filming a mock robbery that they had staged using a water pistol, but bystanders thought it was the real thing and called police to report a man with a gun. Police responded and conducted a "felony car stop," drawing their weapons and forcing the students out of the car and onto the ground. Said Assistant Police Chief Dave Higdon: "I'd say the kids got the point about the water pistol."

Prosecutors have so far dismissed 23 drug cases linked to ex-Lawrence police officer Stuart Peck, who was fired in February after misleading a judge about an informant in order to get a search warrant. One Lawrence County defense attorney said the recent developments could present an opportunity to question police credibility in cases

that involved officers other than Peck.

**MISSOURI** — St. Louis city prosecutor Jennifer Joyce is seeking legislation that would bill inmates' prison accounts for the cost of DNA testing and add up to 60 days onto their sentences if they ask for testing and the findings then reaffirm guilt. If inmates are cleared by the testing, they would be allowed to sue the state for compensation for their time behind bars.

An attorney for the St. Charles County Deputy Sheriff's Association said that the group unknowingly violated federal tax rules by making political endorsements while claiming charitable status. The group will most likely change its current 501-C3 designation so that it can continue to endorse candidates.

Police departments in Byrnes Mill and Pevely will be driving new police vehicles with commercial logos on them as early as this summer after the cities signed contracts with a company that sponsors advertisers on government vehicles. The company will sell fully equipped vehicles to the police departments for \$1 in exchange for the advertising. Both Byrnes Mill Police Chief Ed Locke and Pevely Chief Ron Weeks say their cities face financial problems and neither wanted to solicit money for vehicles from local businesses.

**MONTANA** — The board of the state Law Enforcement Museum has started a fundraising drive to move the museum from Deer Lodge to a vacant 10,000-square-foot space in Great Falls. The museum started in 1985 with a memorial to law enforcement officers who died in the line of duty but its collection has since outgrown its current 4,000-square-foot space. Among its exhibits are the leg irons and restraints worn by alleged presidential assassin Lee Harvey Oswald when he was murdered by Jack Ruby in 1963.

**NORTH DAKOTA** — Fargo police have new Geographic Information System software that can convert information from the city's crime database into crime maps. Police Chief Chris Magnus said that the program gives the police the ability to better spot crime increases in certain neighborhoods.

**SOUTH DAKOTA** — According to Jerry Derr, chief investigator for the South Dakota Brand Board, reports of cattle theft throughout the state increased by 300 percent from 2001 to 2002. Derr believes the increase is due both to the ease of stealing livestock and the rise in all rural crime. Reporting has increased because of drought and the poor agriculture economy — during good times, Derr said, ranchers are less likely to report a few missing cattle, but during hard times they can't afford to ignore the loss.



**ARIZONA** — Some defense attorneys in Phoenix are planning to challenge DNA evidence in criminal cases after obtaining an email by the supervisor of the police evidence-handling room, which warned the contamination could

"seriously impact" cases. Police cited more than 50 accidents in the past year in the room used to dry blood evidence, but Susan Narveson, the crime lab's director, said it is very unlikely that DNA from one case contaminated evidence from another. Instead, the contamination may cause some ultra-sensitive testing to turn up "false positives," so the reports of "positive indicators for blood" may be overstated.

Gov. Janet Napolitano has said she will sign an executive order to establish a "mutual aid package," so that emergency personnel can coordinate responses to major fires, riots, crimes or terrorist attacks. The plan includes a series of contracts designed to let all agencies involved know who should respond, where to respond, and who will pay for it.

Tribal leaders of the Tohono O'odham Nation recently testified before members of the state's congressional delegation to make their case about getting federal help in dealing with illegal immigration and other border problems. The tribe's vast reservation shares a 75-mile border with Mexico and an estimated 1,500 illegal immigrants cross from Mexico each day. The area is also popular with drug traffickers and tribal officials say that these problems take resources away from community policing and corrupt some residents with drug money.

**COLORADO** — Denver police have added Pepperballs, Tasers and beanbag shotguns to their arsenal. The Tasers and Pepperball weapons were to be distributed immediately but the beanbag shotguns will not be distributed until later in the year.

In Lafayette, George Doughty was jailed on suspicion of felony menacing, reckless endangerment and the prohibited use of weapons, after shooting his laptop computer four times and then hanging it on the wall of his Sportsman's Bar as his latest hunting trophy. The laptop had apparently crashed once too often. Doughty later told police that he realized he was wrong, but at the time it seemed like the right thing to do.

Dana West, 51, was arrested on March 7 and charged with solicitation to commit a crime of violence after trying to buy explosives to blow up government buildings, including the Denver County Courthouse. West had sent money orders of \$250 to Arkansas Valley Correctional Facility inmates and told them that they could join his "Truth and Honesty" group, if they swore to blow up the government. West told an undercover FBI agent that he was angry at the government and wanted to conduct a campaign like the recent sniper shootings in Washington.

**NEW MEXICO** — Jeff Remington, president of the Albuquerque police union, said that while he cannot endorse a work slowdown or stoppage, he has spoken to an estimated 100 officers who have talked about a strike or a "blue flu" since Mayor Martin Chavez told the department not to expect raises. The pay range for Albuquerque officers is \$34,650 to \$43,800, which is competitive with other state law enforcement agencies but lags behind neighboring states. Chavez said the city faces a \$27-million budget shortfall.

**TEXAS** — After receiving a tip, two Harris County sheriff's deputies, Eric Clegg and Sgt. Don Pierce, were chasing a pickup truck when the driver dumped a half-gallon of liquid PCP, splashing them. The officers were taken to a local hospital and then released. The suspect, who was also exposed to the PCP, was arrested and taken to another hospital.

The Seguin Police Department has hired Bob Young, Cedar Park's mayor and former police chief, to serve as interim assistant police chief. Young may eventually fill in as police chief because current chief, Gary Hopper, plans to retire in May. Rafael Aviles, a Seguin city spokesman, said that the arrangement will give the town more time to look for the right person to fill the vacancy. Young will earn \$28 an hour as interim assistant chief and has been provided a room in a hotel near town.

In one of the largest cases of identity theft ever reported, hackers obtained the names and Social Security numbers of about 59,000 current and former students, faculty members and staff at the University of Texas at Austin. Law enforcement officials were expected to get search warrants for the homes where the offenders' computers were thought to have been. University officials said that the theft could easily have been prevented with basic precautions and that security measures will be redoubled. In the meantime, the university has reported the theft to the FBI, the Austin police department, and other authorities. It is suspected that a student or students, or people living with students carried out the attack.



**CALIFORNIA** — Los Angeles Police Chief William Bratton has criticized an internal review of the Rampart scandal and called for an independent investigation. The scandal, which led to the investigation of 70 officers and the prosecution of nine, was thought to be over after District Attorney Steve Cooley declined to prosecute 82 more for insufficient evidence. The scandal re-erupted, however, when Bratton disclosed transcripts that named two officers who allegedly filed false reports but still remain on active duty.

Since December, Los Angeles city crews have removed over 100 pairs of dangling shoes from utility lines. It is believed the shoes can be used by gangs or drug dealers to mark turf. Police Chief William Bratton said the shoes are meant to foment fear.

Some people in La Habra are outraged at a group of anti-war protesters and are complaining about a lack of police action after a Sept. 11 memorial was vandalized. Jeff Collison said that he was filing a complaint against the protesters for burning and ripping flags, flowers and patriotic displays that lined the chain link fence at his rental car business. The department later issued a statement saying that it was seeking the people responsible for the crimes.

**HAWAII** — Honolulu undercover po-

lice officer Glen Gaspar, 40, was fatally shot on March 4 while attempting to nab a suspect in an ice cream parlor. The suspect, Shane Mark, who was wanted on two counts of attempted murder and other charges, was arrested shortly after the shooting. Gaspar and other officers had trailed Shane to the store where witnesses say they wrestled him to the ground before he fired three shots, hitting Gaspar. The incident has prompted the state's four county police chiefs to call for tougher laws against career criminals, more resources to battle the growing methamphetamine problem, and better pay for officers.

**NEVADA** — Citing figures from over 17 years that showed that 25 mentally ill people were arrested more than 8,000 times for mostly minor offenses in a single command area, Las Vegas Metro Police Lt. Stan Olsen has called on the Assembly Ways and Means Committee to support a bill that would allocate \$300,000 a year to establish a mental health court in Clark County. Olsen also told the committee that Metro has set up a training unit for officers to deal with mental health problems but that money is needed for counseling and medication.

Tomoo Okada, a 60-year-old former gaming executive and chemist, killed himself on March 1 with the biological toxin ricin. He told emergency responders that he injected himself with the poison, prompting a shutdown of two emergency rooms while authorities made sure that it was not part of a larger bioterror threat.

**OREGON** — House Bill HB2425, which would allow the closure of some government meetings and records, has drawn criticism from some who believe that the bill as it is currently written could unduly restrict the people's right to know. The police, however, maintain that some secrecy is needed to protect people and property from terrorists. Some proposed amendments would limit the records that could be excluded from public view and set up an appeals process by which people or the press could seek access to the records.

Four Josephine County sheriff's deputies, two clerks and two correction officers have been cited for drunken driving in the past 14 months. Sheriff Dave Daniel said he could not recall any other deputies cited for DWI during his tenure and does not know why so many cases have happened in a year's time.

**WASHINGTON** — The Aberdeen Police Department has purchased Taser stun guns with a federal grant. To carry the nonlethal weapon, officers must first join the stun "club," by voluntarily getting zapped by the weapon so they know first-hand what the effects are. So far, about 15 out of the department's 27 officers have become club members.

A bill introduced in the state Senate would make sure that anyone buying a used car is informed if it had ever been used as a meth lab. Although such disclosure rules already apply for home buyers, the bill would set up similar reporting procedures for mobile homes and manufactured homes as well as vehicles. The state ranks among the top in the country in the number of labs raided annually. Many drug makers have turned to cooking the drug in their vehicles to reduce the risk of detection.



## Then there was Nunn

The city of Birmingham, Ala., appointed its first female chief in February, and only the second African American ever to lead the force.

Annetta Nunn, 44, replaced Mike Coppage, a veteran Birmingham officer who had held the reins since 1998 and recently became director of the state Department of Public Safety.

Like Coppage, Nunn rose through the ranks of her hometown department. She joined the agency in 1980 and was promoted to sergeant three years later. In 1991, Nunn was made a lieutenant, then a captain in 1995. Mayor Bernard Kincaid named her deputy chief in 2000. Until her promotion last month, Nunn had headed the department's Field Operations Bureau.

"In naming a new chief, the first consideration was qualifications," said Kincaid. "Based on her education, her experience, and the level of respect she commands with the department, Chief Nunn was a natural choice to succeed Chief Coppage."

Nunn holds a bachelor's degree in criminal justice from the University of Alabama, where she graduated magna cum laude. The highest-ranking woman on the force, Nunn was a contender for the chief's job in 1997 when former chief Johnnie Johnson left. She was also the only commander to cut crime in the precinct under her command by greater than 15 percent that year.

Praising the work done by Coppage, Kincaid said, "I know Chief Nunn will continue to operate the department at the high standard to which we have become accustomed."

## Doctor on call

Instead of naming yet another outsider to lead the New Jersey State Police, Gov. Jim McGreevey decided to go with a veteran trooper who would already have the respect and confidence of the force on his side.

That insider is Capt. Joseph Ricardo Fuentes, who was named superintendent by McGreevey on March 1, and will hold the job on an acting basis pending State Senate confirmation. The path to confirmation may yet prove unexpectedly rocky, as a political brushfire erupted shortly after the nomination over Fuentes' apparent earlier endorsement of racial profiling.

Fuentes, 52, is viewed by his peers as a "trooper's trooper." In 1993, the agency named him trooper of the year for his work on an investigation that led to the seizure of \$49 million worth of cocaine in North Jersey. Fuentes has also worked in intelligence and counterterrorism.

"He has great credibility within the organization," David Jones, the vice president of the State Troopers Fraternal Association, told The New York Times. "He's going to connect to the public, he's going to connect to the other law enforcement agencies, and he's going to connect to the rank and file."

But in 1997, in an internal memo, and later in 2000, in an unpublished 47-page academic paper, Fuentes made

comments that some say appeared to support racial profiling, as sensitive an issue as there is for the New Jersey State Police. Fuentes has since backed down from those writings, saying his views on racial profiling have evolved.

A 25-year veteran who is said to have a passion for academia, Fuentes holds a master's degree from John Jay College of Criminal Justice and a doctorate in criminal justice from the City University of New York. He will replace acting superintendent Lieut. Col. Frederick Madden, who took over in October. Madden had been considered a candidate for the post, but dropped out to run for the State Senate. Fuentes will be the State Police's fifth leader in the past four years.

"Personal character" weighed heavily in the selection of Fuentes for the job, said Peter C. Harvey, the acting state attorney general who headed the 10-member search committee.

Joseph Santiago, the former police director of Newark, was forced to resign last fall just seven months into a rocky tenure. He is being investigated by the attorney general's office for allegedly spending hundreds of thousands in state funds on decorating his office.

His nomination strongly opposed from the outset by the unions, Santiago was narrowly confirmed by the State Senate after a prolonged investigation into a background that included a personal bankruptcy and misdemeanor charges stemming from a fistfight. In February, he became Trenton's police director [see LEN, Feb. 28, 2003].

Santiago replaced Col. Carson Dunbar Jr., a former FBI agent who was the first black to lead the agency, and the first outsider. He had been named to the post by former Gov. Christine Todd Whitman, and left with the arrival of the McGreevey administration.

Fuentes said that progress has been made in addressing the organization's racial issues. "We have put reforms in place," he told The Times, "and the troopers have with lightning speed been coming into compliance with these reforms."

## Standing tall

Officials in Willimantic, Conn., were so impressed with the way the city's Acting Chief Lisa Maruzo-Bolduc rose to the occasion when a Hartford newspaper dubbed their city "Heroin Town" that they named her to the post permanently in February.

Not that that was the only reason. During a 23-year career, Maruzo-Bolduc had made her mark with both the brass and rank-and-file officers. The recipient of a Fulbright Scholarship in law enforcement, and a graduate of the FBI National Academy, Maruzo-Bolduc also holds a master's degree in human relations and teaches classes in law enforcement.

She had been filling in for Milton King, the town's long-time chief, during a prolonged sick leave that ended in February with his retirement, when the first article of a five-part series ran in The Hartford Courant. On the front page was a photograph of three women shooting heroin in the gazebo on the town green.

"My reaction was shock," Maruzo-

Bolduc told The Courant. "I knew after the first article there was going to be a reaction from the community. I was being thrust into the role as acting chief. Officers were looking to me for a response. Either I was going to fall on my face or I was going to respond in an intelligent manner."

Her response was as intelligent as it was diverse, including straight talk at public meetings about community problems, working with various neighborhood groups on the heroin issue, and trying to maintain police morale in the midst of the crisis.

At 5-foot-1½, Maruzo-Bolduc was nicknamed "Officer Munchkin" when she joined the force in 1980. She had wanted to be a social worker, and thought police work would look good on her resume.

When it came time to choose a chief to replace King, the town's police union took the unusual step of writing a letter to the town selectmen to recommend her for the job. It read: "This unprecedented action by the members is the result of the captain having gained the respect and admiration of her fellow officers as she rose through the ranks of the Willimantic Police Department."

The letter went on to praise Maruzo-Bolduc's superior leadership and management skills.

"I think she would make an excellent chief of police," said Lieut. Clifford Spinner, a veteran officer. "She has the experience and she can certainly do the job."

"She has stepped up to the plate and taken care of issues," added Lieut. Marybeth Curtis.

Maruzo-Bolduc is the second woman to head a police agency in the state, following Betsy Hard, who became Bloomfield's chief in November.

## Back to school

Having spent 23 years protecting the citizens of Rhode Island as a lead administrator and detective commander with the State Police, Maj. Michael P. Quinn, the agency's third-highest ranking official, is now serving a far smaller client base — the 9,600 students at Johnson & Wales University.

Quinn was sworn in on Feb. 7 in a ceremony attended by both the Providence campus's security forces and state and law enforcement officials, including U.S. Attorney Margaret Curran, state Attorney General Patrick Lynch, Providence Police Chief Dean Esserman and retired State Police Supt. Edmond S. Cuthane Jr., who had served as Quinn's mentor.

"This is an exciting time both personally and professionally," said Quinn. "I've been given an opportunity to begin a second career that allows me to apply my past experience towards building a better campus experience for J&W's students and staff and maintaining a connection to the Rhode Island community that I was so proud to serve."

Quinn, 47, had been nearing the force's limit of 25 years of service when he was offered the post at the university. In his new role, he will oversee approximately 44 campus safety and security officers, and in addition to running day-to-day operations, will play an integral part in developing the university's growth in the community.

While the campus force had a complement of 50 officers, six have been called to active military duty. They shipped out last month.

An adherent of the "broken windows" theory of crime prevention, Quinn said he will apply its edicts at Johnson & Wales, taking care of such things as making sure that doors are locked and broken lights are fixed.

"I will provide leadership that you will be proud to follow," he said.

Quinn attended Roger Williams University in Bristol, R.I., from which he graduated magna cum laude in 1992 with a bachelor's degree in administration of justice. In 1999, he earned a master's degree in criminal justice from Anna Maria College in Paxton, Mass. He also received specialized training at the Naval War College and the New England Institute of Law Enforcement Management, and is a 2000 graduate of the FBI National Academy.

## A new mission

He has led a police department with 26 members, and heads an extended family with 10 children and 27 grandchildren, but soon, Northboro, Mass., Police Chief Kenneth G. Hutchins will take on responsibility for even more individuals when he becomes a mission president for the Mormon Church, a three-year assignment that will have him overseeing 180 missionaries.

"It's time to do other things, time for a breath of fresh air," said Hutchins, who retired March 7 from the post he held for 23 years.

Hutchins, who grew up in Walpole, Mass., served as a lieutenant in Lakewood, Colo. Although he and his wife were happy there, he said, they wanted their 10 children to know their relatives back East. But Hutchins did not want to start again from the bottom. The only other option was to apply for a chief's job. The eighth and last community he applied to was Northboro, located about 30 miles west of Boston.

"It was a great move," said Hutchins.

As his family grew, so did the police department. In 1980, it had fewer than 13 officers. Once located downstairs in Town Hall, the agency now occupies larger, separate headquarters. And improved technology has allowed sworn personnel and staff to "do 100 things that would have been very onerous," said Hutchins.

Hutchins was converted to the Mormon Church in 1968. He was working in the Walpole Police Department at the time, but soon moved his family to Utah so he could earn a bachelor's degree in criminal justice from Brigham Young University.

Since 1994, Hutchins has been a "stake president" for the church, responsible for congregations from Worcester to Boston.

As mission president, he will make sure that housing and transportation and other needs are provided for scores of young people between the ages of 19 and 21. More importantly, Hutchins will ensure that they are fulfilling their spiritual obligations to the church and are behaving appropriately. He does not know where the church will send him and his wife, Priscilla, on their mission, only that it will be someplace English-speaking.

## In the clear

Obstruction of justice charges were dismissed this month against San Francisco Police Chief Earl Sanders and Assistant Chief Alex Fagan in a case that is believed to mark the first time in more than a century that the entire command staff of a major-city police agency has been criminally charged.

The incident stemmed from a street-fight last November between three officers, all of whom were off-duty at the time, and two men outside the Blue Light Bar. The men were said to have refused to hand over a bag of steak fajitas to the officers. Sanders, Fagan and five other commanders and supervisors were accused of participating in a cover-up.

There had been growing speculation that District Attorney Terrence Hallinan had been re-evaluating the indictment against Sanders and Fagan. According to a report by The San Francisco Chronicle, Hallinan had told jurors that there was not enough evidence to prove obstruction of justice, but the jurors voted for it anyway.

On March 11, he requested that Superior Court Judge Ksenia Tsenin strike the chief's and assistant chief's names from that count of the indictment. Charges were not dismissed, however, against the other superior officers: Deputy Chief Gregory Suhr, Deputy Chief David Robinson, Capt. Gregory Corrales, Lieut. Edmund J. Cota and Sgt. John F. Syme. The officers involved in the fight were Matthew Tonsing, David Lee and Fagan's son, Alex Fagan Jr.,.

"To indict the entire command staff over a 30-second street fight when this country is on the verge of war and resulting terrorist threats is completely irresponsible," Chris Cunnie, the president of the San Francisco Police Officers' Association, said in an interview with The New York Times. "How do you cover up that much from a 30-second street fight anyway?"

The central claim against Sanders, cited by the grand jury as the sole basis for the indictments against him and Fagan, had been the abrupt transfer in January of an investigator assigned to the case, Lieut. Joe Dutto, who alleged that the reassignment was punitive.

Sanders insisted that the only role Dutto had played was in assigning two of his investigators to carry out the probe. Dutto was a "middle management man," and "never an investigator of any sort," said the chief in a written answers to questions prepared for the city's Police Commission.

Before his appointment as chief, Sanders had spent most of his career in the department's robbery and homicide bureau, where he was credited with cracking the so-called Zebra killings in the 1970s and other high-profile cases. San Francisco's first black police chief, Sanders was due to retire this year.

According to Sanders' attorney, John Burris, the chief was "profoundly relieved" that the charges were dropped, but was disappointed that the other ranking officers remain indicted.

"The great reputation that he had beforehand certainly has been irreparably damaged," Burris told The Times. "But at the end of the day, he will always be able to say that the charges were dismissed."



# No more life experience credit for Mass. cops

The Quinn Bill, which was enacted in Massachusetts more than 30 years ago, was supposed to provide an educational incentive for police through bonuses, but critics have charged that the program provided little academic rigor. Now, under the stringent standards adopted last month by the state Board of Higher Education, officers will no longer be able to earn college credits for life experience or basic training.

The Quinn Bill, formally known as the Police Career Incentive Pay Program, has long been a source of controversy. An audit released in November 2001 by the higher education board even called the program a "cash cow" for colleges and universities trying to draw in in-service students.

How it works is that cities and towns are reimbursed for half of the salary bonuses they pay to officers who have earned two-year, four-year and graduate degrees. Officers can receive annual bonuses as high as \$25,000, which affect future pension payments as well as base salaries. Out of 351 communities in Massachusetts, 250 pay their police extra for college degrees.

Nearly 60 percent of local officers, or about 10,000 in all, get extra pay; for the State Police the figure is even higher, at about 89 percent. The tab for the State Police, which is covered in full by the state, is projected to be \$22.8 million this year, an increase from \$20.6 million in 2002. Boston had the second highest Quinn Bill cost last year, at \$12.9 million.

While supporters contend that the Quinn Bill brings a more educated officer onto the force, detractors point not only to its tremendous statewide cost of \$106 million a year, but the loose academic standards it allows.

Strongly supported by police organizations throughout the state, it was one of the few programs spared by Gov.

iate vice chancellor of the higher education board. "There is no evidence the Quinn Bill has improved the quality of education."

Last summer, the Legislature imposed a two-year moratorium on communities signing onto the program after asking the board to come up with academic standards

encourage them to be part of the educational process.

He also dismissed an assertion by Jerry A. Hersch, vice president of academic affairs at Western New England College, who said in an interview with The Boston Globe that colleges would not be able to come up with enough Ph.D.'s to teach criminal justice courses.

But Greene asserted. "First of all, there is no requirement that two-thirds have to have a Ph.D. in criminal justice.... It seems to me in programs where there are three or four full-time faculty members, getting a couple of Ph.D.'s would be fairly easy. Massachusetts, for better or worse, is one of the educational havens of the country. A lot of people want to stay in Massachusetts once they've completed their education."

Between the sociology programs, government programs and political science programs in universities around the state, there should be "lots of people who would be more than qualified to teach in these programs," he told LEN.

While Romney has said he does not want to cut police pay when the work is becoming increasingly dangerous and the nation is facing a terrorism threat, critics say that by keeping the Quinn Bill, the governor is forcing cities and towns to lay off police.

In 2001, the town of Templeton rejected as too costly a request by its police department to accept the provisions of the Quinn Bill. It would have added 10 percent to the salaries of those of-

ficers with associate degrees, and 20 percent to those with bachelor's degrees. A graduate degree would have meant a 25-percent increase.

"You can't have homeland security without hometown security first," said the chairman of the state Senate's Public Safety Committee, Jarrett Barrios of Cambridge.

But with the tightening of standards, legislators can at least feel the money is being put to good use, the higher education board's chairman, Stephen P. Tocco, told The Boston Herald.

"The open question is whether the money should be spent at all, but that is something for the Legislature to consider," he said.

Tocco said that standards had to be tightened so that colleges with poor programs could be phased out, and to make sure that the \$100-million investment was being properly spent.

The state's chiefs association said it was happy to see the curriculum improved.

"If someone was getting credit for life experience or if they were getting what the public perceived as undue credits without working for them, then our attitude was they should be tightened up and the bar should be raised," said John M. Collins, general counsel to the Massachusetts Chiefs of Police Association.

But law enforcement should not be blamed, he added, for following rules that had been set out by the board.

"They were told to go to an accredited college, get a certain degree and you'll get some extra compensation," said Collins. "You don't throw out the program because someone wasn't administering their end of things the right way."

## Board of Higher Education finds "no evidence of a more educated police force in Massachusetts."

Mitt Romney in his 2004 budget proposal. Any future efforts to cut back on it would be fought hard, vowed Thomas Nee, president of the Boston Police Patrolman's Association.

However, a recent audit found that 40 percent to 50 percent of officers who had earned bachelor's degrees or master's degrees were awarded credits for attending the police academy, taking CPR courses, or other requirements of officer training. Three of the most popular programs, those offered by Anna Maria College in Paxton, Western New England College in Springfield, and Curry College in Milton, were found to have excessively granted credits for "life experience."

"The board has found inconsistency with regard to training and life credit and there is no evidence of a more educated police force in Massachusetts," said Lynette Robinson-Weening, asso-

Under the guidelines approved by the board in February, life experience credits will be banned. The board will also expand its oversight of the curriculum, student evaluation and teacher qualifications. Moreover, two-thirds of professors who teach in programs offering baccalaureates and above will be required to have doctorates. The standard does not apply to instructors in two-year programs.

"I think we have to separate out education from credentialing," said Jack Greene, dean of Northeastern University's College of Criminal Justice. There is nothing in the revisions of the bill, he told Law Enforcement News, which "dissuades the notion that officers shouldn't be better educated and receive some benefit from having been better educated."

The Quinn Bill, Greene added, will still provide resources for officers and

# Real-time video surveillance has growing appeal for school districts

While high-tech ID cards and security cameras that transmit in real-time may be more useful in stopping petty crimes than in preventing a potential Columbine-type massacre, school officials concede, it has not stopped districts across the nation from squeezing out what little money there may be in their budgets to install such systems.

In the Wisconsin towns of Glendale and Brown Deer, a system called IVACS Digital City allows police from those jurisdictions to sit in their cruisers and watch live-feed videos from inside the local high schools.

Installed this past summer, the system cost \$5,500 for the technology inside the schools, and \$13,000 for each squad car. A federal grant was used to cover the expense.

"Before, police had no clue" what was going on inside the school, said Steve Cohn, vice president of Closed Circuit Technology of Naperville, Ill., which makes the system. "There was no way to tell what was happening inside. With our product, they can zoom in and tell what kind of weapons are there and get instant real-time information. Before, they were just guessing."

By digitizing the schools' existing analog cameras, the signals can be beamed from the roof to the squad cars up to a half-mile away. Police can control what they are seeing as if they were holding the cameras. They can switch to any one of 16 units, zooming in and out, and replaying footage up to three weeks old.

So far, the technology has helped school officials more than police. For

example, it helped them catch people stealing French fries from the cafeteria, and determine who was responsible for a fight in a hallway that damaged school property.

The program is believed to be the first of its kind in the state. Similar technology was installed three years ago at Tewksbury High School in Tewksbury,

**"Our teachers don't have a problem, the parents love it, and the kids all know it's there."**

— Dr. Larry Drawdy, school superintendent of Biloxi, Miss.

Mass. Some 40 video cameras in hallways, common areas and the building's exterior monitor the campus. But unlike the cameras in Glendale and Brown Deer, police cannot see inside during the regular school day.

"Cameras by policy are only allowed to display the exterior of the school when it is in session," said Tewksbury Police Chief John Mackey. "We put it in for a catastrophic situation which we hope is never going to happen."

Experts say no technology can really stop the type of horror and may-

hem that a Dylan Klebold and Eric Harris — the two students who killed 12 classmates and a teacher at Columbine High School in Littleton, Colo., in 1999 — can inflict.

"The security may be false in some way," said Dr. Larry Drawdy, the superintendent of schools in Biloxi, Miss., told The New York Times. "Those who go to school and open fire on teachers and fellow students are looking for attention, not hoping to escape. You could put the National Guard out there and it might not deter them."

Biloxi spent \$1.2 million to put security cameras in each of its nearly 500 classrooms. The fully digitized system was paid for with bonds, state gambling revenue and a federal fund used to bring Internet access to schools. It can store up to 20 days worth of images and the 800 or so cameras have real-time functions.

Even though the students are under surveillance, privacy has not been a big issue, said Drawdy. "Our teachers don't have a problem, the parents love it, and the kids all know it's there," he said. "We've had little or no question about it."

Two public charter schools on a single campus in Fresno, Calif., have cameras that allow the facilities to be watched from a monitor next to a reception area in the main building, as well as remotely over the Internet. Each night, someone from the company that installed the technology watches over the buildings from Jackson, Miss.

The cameras at the W.E.B. Dubois and Carter G. Woodson charter schools

are among the most advanced available. They, too, have a real-time function that helps generate a sense of security within the buildings, officials say. The system cost \$35,000 to install and another \$350 a month for monitoring by CameraWatch, a company specializing in security systems for schools.

"When you're thinking of the kind of horrible tragedy like what happened at Columbine, you need real-time," said Mary Green, a security specialist at Sandia National Laboratories in Albuquerque, N. M., who estimates that 30 percent of high schools and 15 percent of middle schools now have cameras.

"I don't know that I've ever visited a school where they didn't immediately say, 'So, tell me about cameras,'" she told The Times.

Another popular security device is the Datastrip, an identity card with two-dimensional bar codes that can contain photographs, fingerprints, personal information and iris scans.

"With all the recent events, terrorism and 9/11, and some of these children have parents who are fairly high-profile people, the parents felt this was something they wanted to pursue," said the principal of a private middle school in the Orlando area, one of two in the state that uses the card. It was issued to 300 students, nannies, parents and anyone else authorized to pick up a child after school.

Said Chuck Lynch, vice president of Datastrip: "There's a huge issue now of child abductions, and schools are interested in combating that crime any way they can."

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# Officials wonder if Amber Alert could have saved the life of abducted Nebraska teen

In the aftermath of a teenager's abduction and murder last month, questions have been raised by Nebraska officials as to whether a local police department's lack of certified training in the use of the Amber Alert system led them to a delay of more than six hours in sending out a bulletin after the victim disappeared.

"Hindsight is always 20-20," said Attorney General John Bruning, chairman of a 19-member state Amber Alert advisory committee.

The panel met just days after the kidnapping on Feb. 11 of 15-year-old Heather Guerrero. Although the meeting was called to determine whether the criteria for issuing an Amber Alert needed to be changed, it was seemingly prompted by the department's failure to sound the alarm.

Bruning and the victim's parents, Irene and Anthony Guerrero, contend that police wrongly assumed that a witness was needed to seek the alert.

According to Gering Police Chief Mel Griggs, two officers received training in the statewide Amber Alert system shortly after it was implemented last Sept. 30. To participate in the system, however, agencies must have at least one sworn member attend a free, two-hour training course conducted by the State Patrol. The Gering officers were trained by a lieutenant from the Scottsbluff Police Department who had attended the State Patrol class.

"If there was any trouble with the training, they should have let us know

then, in November, when those names were sent to the state," said Griggs.

Guerrero was kidnapped as she completed her paper route at 6 a.m. Although neighbors reported seeing a car speeding from the scene and heard a scream, Gering police decided — with the concurrence of the Nebraska State Patrol — that it was not enough to call an Amber Alert.

Investigators spent several hours going through her room and her e-mail, trying to determine whether Guerrero could have been a runaway. The idea of issuing an alert was not discussed until nearly six hours after her disappearance.

The girl's body was found the next day by family members in the basement of an abandoned farmhouse near Lake Minatare. Jeffrey Hessler, 24, a security guard at a local airport, has been charged with Guerrero's murder.

Even though an Amber Alert was not issued, Guerrero's disappearance was broadcast by the news media statewide within hours.

Scott Christensen, one of the State Patrol's three Amber Alert coordinators, said, "The only difference from what Gering did and an Amber Alert was the name Amber."

Nebraska's Amber Alert system was introduced last September. It has been used just once when authorities in December were searching for a 9-month-old, Brodgunique Dunn. The infant was unharmed outside of Omaha in a vehicle that had been stolen from a filling

station in Council Bluffs, Iowa.

Griggs, who said he took exception to Bruning's remarks, said that witnesses could not place the girl in the car because of its tinted windows. In addition, cars speeding in that part of the town are not unusual.

"If they had seen the girl in the car or seen the abduction, then we could have issued an Amber Alert," Griggs told *The Omaha World-News*.

While stopping short of saying the department made a mistake, Bruning said it should have called for help sooner.

"If we had the vehicle description and knew about the scream much sooner, we would have had an Amber Alert," said Bruning. "In hindsight, certainly it would have been wonderful to have every piece of information then that we know now."

The push to implement a nationwide Amber Alert system is being spearheaded by Edward Smart, the father of Elizabeth Smart, 15, who was returned home this month after being abducted from her bedroom nine months ago. At present, there are 14 state-based and 30 regional Amber Alert systems operating nationwide. There have been a number of success stories.

In Los Angeles, a 12-year-old Richmond, Calif., girl was rescued after a tow truck driver who unknowingly gave shelter to the victim and her abductor saw alert signs flashing on the highway warning motorists to look out for a brown Datsun 200ZX.

Contra Costa County sheriff's officials believe Mariela Garcia was snatched by 44-year-old Marcelino Benites after her foster family dropped her off at school.

"The driver felt relieved he spotted the sign," said California Highway Patrol Assistant Chief Art Acevedo. "He was ecstatic he could play a role in it. We thank him for doing the right thing."

A 2-year-old New Jersey girl was also found unharmed this month after an Amber Alert sparked a multistate dragnet. Angel M. Rivera, 26, of West Palm Beach, Fla., is accused of absconding with his daughter, Angela, from a Bergen County, N.J., motel. Police say that when his car became disabled, he carjacked another vehicle at gunpoint and sped off with Angela, who was subsequently found at a Camden motel.

The activation marked the second time the system has been used in New Jersey. It was first used on Feb. 20 to broadcast information about the disappearance of a 10-year-old Trenton boy. The child was found later walking near his home.

Minnesota issued its first Amber Alert in January when thieves who stole a minivan from a St. Cloud parking lot inadvertently stole a 9-month-old boy, too. The baby was found unharmed. Two teenage runaways from the St. Cloud's Children's Home are suspected of stealing the van, which police say was left running when the baby's mother went into a liquor store.

## Violent-crime reporting rate improves

Roughly half of all serious violent crimes were reported to police in 2000, an increase from the average reporting rate of 43 percent just eight years earlier, according to a report released in March by the Bureau of Justice Statistics.

In "Reporting Crime to the Police, 1992-2000," researchers found that 49 percent of the estimated 6.2 million rapes, armed robberies and serious violent crimes were reported to authorities in 2000.

"Over the past decade, you've seen a significant increase of reporting of the percentage of overall violent crime — rapes and sexual assaults, simple assaults and serious violent crimes — that were reported to police," Timothy C. Hart, a statistician who co-authored the study, told *Law Enforcement News*.

The report is based on data collected by the National Crime Victimization Survey, which interviewed more than 872,000 people ages 12 and older who were crime victims between 1992 and 2000.

Between 1992 and 2000, an average of 57 percent of robberies and 55 percent of aggravated assaults were reported, as were 31 percent of rapes. For 2000 alone, those figures were 60 percent, 58 percent and 48 percent, respectively. Violent crimes were more likely to be reported when the offender was armed, a stranger to the victim, or when injury occurred, the report noted.

Only 38 percent of crimes in which the offender was not armed were reported, as compared to 56 percent of those committed with a weapon. In cases of sexual assault, 49 percent were reported when the offender was armed, as compared to 28 percent for unarmed assailants.

When the offender was a stranger, the victimization was reported in 55 percent of cases, as compared to 51 percent when it was someone known to the victim. However, those figures change depending on the crime.

In cases of rape, a sexual assault committed by a stranger is reported 41 percent of the time, but only 27 percent of the time when it is a friend or acquaintance. When the offender is an intimate partner, the figure falls even further, to 24 percent.

During the period covered by the study, 56 percent of victimizations that resulted in injuries were reported to the police, as compared with 40 percent of cases in which the victim was unharmed. Police were notified in 75 percent of crimes in which serious injuries occurred, and 90 percent when a firearm was involved.

Another factor in bringing violent crimes to the attention of police was whether the offender was believed to be under the influence of drugs or alcohol, the report said.

The reason given by most crime victims for not reporting a crime was that the offense was a "personal matter." Some 17 percent said the incident was not important enough, and 14 percent said they told someone else, such as a school principal. Five percent said they feared reprisals. For those who had been sexually assaulted, that figure rose to 12 percent.

When the offender was a known gang member, only 46 percent of crimes were reported, as compared to 59 percent when the victim did not think the offender was in a gang.

# Study asks: What separates exemplary sergeants from the merely good ones?

Continued from Page 1

reasoning or just greater straight-up problem-solving skills, McDonald said that the sick leave pattern and the reasoning skills could be related.

"They are better at problem solving and their sick leave pattern is different because they may have a higher investment in the job," she told *Law Enforcement News*.

McDonald compared that to the preliminary findings of a study on model patrol commanders that is in the process of being completed, which shows that those considered to be the best are passionately involved with the work.

"It's the kind of person who thinks about it 24-hours a day, and gathers information, interrelates with subordinates, that kind of thing," she said.

Another factor that separated the exemplary from the less so was the confidence that their supervisors had in them. When lieutenants were asked

### On top of other attributes, exemplary sergeants take less sick leave.

whom they would choose in a crisis situation, McDonald said, most often it was the exemplary sergeant.

"We know they're better at decision-making, organizing, handling issues, somehow," she said. "Those three areas are significant."

According to the study, the moral reasoning part of the research was designed to understand how the sample developed strategies for solving problems which centered on right and wrong. The participants were asked to give their opinions about four stories that contained some moral dilemma, to think of ways they might be solved, and to rank the four most important factors

in making their decision.

While the first story posed a classic problem devised by a psychologist, the three others were drawn directly from police work — a homeless and abandoned man found in a parked car on a cold day; a sergeant who finds one of his officers sleeping on the job; and the discharge of a weapon as an officer is chasing a fleeing suspect.

Using a double-blind approach, researchers were able to correctly differentiate between the responses given by the exemplary nominees and the peers in all but two cases.

In the story involving the homeless man, McDonald said: "One person might say get out of the car, go somewhere else, you can't stay here. The better sergeant would find a way to deal with the problem, he would find different alternatives, whether he took him to a shelter, or police headquarters and let him sit in the lobby for a while."

The study also found that those sergeants nominated as exemplary cited people they knew personally as examples of moral leadership. It may indicate that either the control group, needing to provide an answer quickly, fell back on famous people, or that nominees have higher quality relationships with people.

"Either [they] are in conversation

with their role models on moral issues, or they are aware of the extent to which they adopted ideas or thought patterns from those whom they have been associated," said the study.

Another factor that distinguished the exemplary from the peers was that when asked by researchers to rate themselves, their perspective was closer to the assessment given them by subordinates and supervisors. This "suggest[s] self-effacement and lower self-esteem or an ability to assess themselves realistically," said the study. "Realistic assessment capability may explain nominees' ability to articulate moral dilemmas more effectively than controls," it said.

According to McDonald, the study cannot be used as a measure for other departments just yet. Researchers intend to test a larger sample of sergeants from a department, see if those who scored high on the moral reasoning and sick-leave pattern portions of the study were those nominated by peers as exemplary. In effect, conducting the research backwards, she said.

While it is unclear whether any of the findings could help turn an average sergeant into an exemplary sergeant, the research could eventually be used to create a component of a promotional exam, she said.

"Think of the outcome of that," McDonald said. "If you had the platform of the management staff of really good sergeants, that means it trickles up and they become really good lieutenants, captains.... You improve the overall service by starting out being able to identify really good ones."

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# Denver sees something shady about moonlighting

A scandal over compensatory time off that has already led to the suspension of one veteran commander prompted the Denver Police Department this month to set stricter guidelines for when officers can work at off-duty jobs.

There are four new rules: Compensatory time records will no longer be maintained on personal computers, but on the agency's server with a security disc necessary to obtain access. Only those at the rank of lieutenant or above will be allowed to enter compensatory time into the server. Those entries will include the badge number of the command officer. Officers will no longer be allowed to work flexible hours that permit them to moonlight and will not be permitted to work off-duty on a regular basis. Finally, supervisors and command officers are prohibited from accepting a job scheduled by a subordinate.

Such was the case with Lt. Gary Lauricella and his supervisor, Capt. Tim Leary, both of the Crimes Against Persons Bureau. While Leary supervised Lauricella at the department, he was his underling at The Ricks Center, a private school at the University of Colorado where they and another lieutenant, John Priest, directed after-school traffic.

According to a three-month investigation by News4 television, Lauricella worked 53 afternoons at the school over

the past year and a half. He was paid the equivalent of \$60 an hour, and did not deduct from his accumulated comp time the hours taken off to perform the job. His records, however, were altered after Lauricella was confronted by the television station. Police are still investigating who changed them.

Leary, who worked 31 afternoons, said that he made up the time by coming in early. Priest said he also worked in the morning so he could leave early and direct traffic.

The three are among the 10 command officers under investigation, but Lauricella is the only one who has been suspended. Leary was temporarily reassigned.

"Department policy is already very clear on off-duty work," said Police Chief Gerald Whitman. "We just have a few housekeeping things to do to tighten it up even more."

A review of documents by The Rocky Mountain News found that 1,266 of the city's 1,492 officers have worked off-duty jobs at some point between Jan. 1, 1999, and Feb. 28, 2003, or more than 210,000 shifts at banks, nightclubs and sports stadiums. City records show that the most prolific officers worked an average of five extra-duty shifts a week during that period, with nearly 25 percent of the force working at least one a week.

Daniel Saracino, a technician assigned to the department's Office of

Safety Information, worked 1,039 extra shifts — more than any other officer. Most of these were at bars, where Saracino, according to The News, would begin work at 10 or 10:30 p.m.

Under the department's policy, officers may not work more than 16 hours — on duty and moonlighting — in a 24-hour period. Working more than 64 hours in a calendar week is also prohibited. Officers with less than two years on the job may not work in any establishment where the primary business is the sale of liquor for on-premises

consumption.

Shifts at nightclubs where liquor is served accounted for 10 percent of all extra-duty shifts, and moonlighting at banks made up roughly 15 percent.

The upside to moonlighting, experts told The News, is that it allows bars, banks and other businesses to have a police presence without the taxpayers having to foot the bill.

"It's a mixed bag," said Dr. Joseph McNamara, a fellow at the Hoover Institution at Stanford University, and the former chief of San Jose, Calif., and

Kansas City, Mo. "There's a potential conflict of interest there that you need to manage very closely, and you need to make sure the officers understand they have to observe the same rules as if they were on duty. But I'm sure if you added it up through the years, the city came out better."

Whitman estimated that moonlighting saved Denver \$10.9 million in 2002 based on the assumption that officers were being paid \$30 an hour at jobs where the department would otherwise have to schedule coverage.

## Methadone takes its place as the latest killer drug

The fastest rising killer drug in Florida is not Oxycontin, nor is it heroin or any other illegal substance. It is methadone, say officials, and a spike in the number of deaths there, as well as in both Maine and North Carolina, has caught authorities by surprise.

"Out of no place came methadone," said James McDonough, director of the Florida Office of Drug Control. From 2000 to 2001, the number of fatal overdoses attributed to methadone rose from 209 to 357. During the first six months of 2002, the figure was already 254.

Deaths from methadone in North Carolina increased eightfold — from 7 in 1997 to 58 in 2001 — a jump that state epidemiologist Catherine Sanford called "absolutely amazing." And in Maine, methadone was found in a quarter of all fatal drug overdoses from 1997 to 2002, killing 18 people from January through June of last year as compared to four in all of 1997. In the city of Portland and Cumberland County, methadone caused at least 30 deaths in 2002, according to state medical examiner's office.

Methadone has been available as a painkiller since World War II, but has been used far more often as a treatment for heroin addiction. But experts say that with the recent abuse of Oxycontin

and subsequent scrutiny of prescriptions for the drug by law enforcement, physicians are returning to methadone as a means of soothing chronic pain.

Other factors are also contributing to the rise in overdoses. Among them are federal guidelines that allow patients at methadone clinics to take home doses once a week or more. The rules were relaxed in 2001 by the Substance Abuse and Mental Health Services Administration. Patients who earned the privilege could take home as much as a 31-day supply of the drug in some cases.

But in Maine, which is one of several states where methadone is given to addicts in liquid form, this policy has led to deaths, say experts.

According to Sgt. Scott J. Pelletier of the Maine Drug Enforcement Agency, who handles narcotics cases in Portland and Cumberland County, clinic patients stockpile their doses to sell or trade for other drugs. They also share with friends who are addicts.

When prescribed for pain, methadone is usually given in tablet form. The tablets can then be ground up and inhaled or injected.

Said Pelletier: "The availability of methadone for treatment of pain has put people who would not normally be in a position to divert drugs into that posi-

tion."

The other problem is the nature of methadone itself. It acts slowly, experts note, building up in the body's fatty tissues. Since it does not give the type of high one would expect from a powerful drug, casual drug users keep taking more and more of it until they fall asleep, then overdose.

"Methadone is probably one of the very few drugs that I've seen doctors almost kill patients with," Dr. Edward C. Covington, director of the chronic pain rehabilitation program at the Cleveland Clinic and a past president of the American Academy of Pain Medicine, told The New York Times. "It's that hard to use when you first start to use it. If it's on the street, we're going to be seeing some deaths."

But substance abuse experts do not want to create a situation in which addicts are drawn back to heroin because methadone becomes difficult to obtain.

"We've got years of experience with methadone and suddenly we've got this problem," Dr. H. Wesley Clark, director of the federal Center for Substance Abuse Treatment, told The Times. "We realize that lives are being lost and we're trying to stop that. But we're trying not to do quick fixes that will cause us more problems."

## California HP agrees to ground-breaking change in search practices

Under the terms of a settlement reached last month with the ACLU of Northern California, the California Highway Patrol became the first law enforcement agency in the nation to agree voluntarily that it would no longer use minor traffic infractions as a pretext for conducting searches when no probable cause exists.

The CHP also said it would extend until 2006 the ban on consent searches that was first adopted in 2001, and begin collecting data on every traffic stop to determine if minority drivers are being targeted. The information, including the race of the motorist, will be reviewed by an internal auditor.

"This is a ground-breaking settlement," John B. Streeter, the ACLU's main attorney in the case, told The New York Times. "While there have been quite a few racial-profiling cases around the country in the last 10 years, none of them have resulted in the kinds of reforms we've gotten the CHP to agree to here."

The settlement puts an end to a three-year-old class-action lawsuit brought by the ACLU on behalf of three Latino motorists who claimed they were stopped and searched based on their ethnicity. Data collected by the ACLU found that Latino drivers were three and a half times more likely than others to be stopped and searched, and black drivers were one and a half times more likely.

The CHP has denied that it bases stops on drivers' ethnicity, although it issued its moratorium on consent searches after those studies. While the settlement does not require it to pay damages, the agency will pay \$875,000

in legal fees and other court costs for the case, which was filed in Federal District Court in San Jose. It will also pay \$50,000 to each of the motorists named in the suit.

According to CHP Commissioner D.O. Helmick, the vast majority of what were being called consent searches, or searches in which officers ask for permission to search a vehicle even when there is no reason to do so, were in fact based on probable cause.

"When we looked into them, there was enough reasonable suspicion that they could have gone ahead with the search anyway," Helmick told Law Enforcement News. "What we've stopped are those pure, when you're just fishing, you have no reason to be suspicious and just figure, what the heck, I have a minute, I'll ask them if I could search their car. We stopped those."

Helmick told The Los Angeles Times that he never favored consent searches, calling it a "lazy way of doing your work." The lawsuit, he said, "made us focus on this issue."

The number of drug-related arrests has not decreased since the ban on consent searches, Helmick said.

"I've heard law enforcement agencies suggest that we gave away the store," he told LEN. "I don't think that's the case. What we're simply not doing is stopping people without a reason and simply asking them if we can search their car. Again, our searches are still going on, our officers are just working and building probable cause, reasonable suspicion and writing reports. It may take them a few more minutes to write a report, [but] I'm not so sure that in the long run it's not better police work."

## Despite negotiations, Dallas's Crown Vic woes appear unabated

After months of negotiation with the Ford Motor Company, Dallas officials say they remain skeptical as to whether the city's police officers are any safer driving Crown Victoria patrol cars now than they were before the automaker began implementing needed changes to the vehicles' gas tanks.

"If I sound frustrated with Ford, it's because I am," said City Attorney Madeleine Johnson, who has brought a suit against the company. "They say one thing in public, and another in sworn testimony. We've been at this for months, and we aren't at all sure that our officers are any safer."

The 24-year-old Crown Victoria has one of the oldest unchanged designs of any car on the market. Ford had announced in September that it would be retrofitting some 350,000 Crown Victoria police cruisers with fuel shields that it claimed were effective in preventing the types of crash-related tragedies that have claimed the lives of 14 law-enforcement officers around the coun-

try in recent years. The vehicles appear prone to explode after being rear-ended in high-speed collisions. On Oct. 23, Dallas Police Officer Patrick Metzler was killed in just such an accident [See LEN, Sept. 15, Oct. 15, Oct. 31, 2002].

But a company official acknowledged in a deposition taken in January that a cruiser equipped with the safety shield leaked more than 40 ounces of a fuel substitute during a crash test. Federal standards limit the amount of fuel lost during crash tests to no more than a few ounces.

"Instead of the success that Ford claimed, the crash test was an abject failure and seriously calls into question Ford's claims that the new fuel tank shields are enough to solve Crown Vic fuel tank safety problems," said Johnson.

Ford, she said, has apparently developed technology that would make the cars safer — it just has not offered it to police departments at prices public agencies can afford.

For example, a \$140,000 Lincoln Town Car that has been in development for two years has a fuel tank that self-seals if punctured by, say, a high-powered rifle. The vehicle also offers limited bomb-blast protection. And special trunk packs that would guard against heavy objects that could be propelled into the fuel tank in a rear-end collision will only be produced in limited numbers. Ford announced in February that it would make only 12,500 of the packs each year, although there are about 300,000 affected vehicles.

Moreover, the price of the devices, which include a Kevlar sheet, will be \$210 each — four times the initial estimate by Ford. Johnson said the company has indicated that it expects law enforcement agencies to pay for the packs themselves.

"Ford is obligated to provide trunk kits to police agencies free of charge, and we will continue to press Ford on this issue," she said in a prepared statement.



# Life during wartime: scenes from the homefront



(Above) Washington, D.C., police officers put an American flag bearing an image of the World Trade Center and the words "September 11, 2001" atop their police truck as they get ready to patrol an anti-war protest on March 21. (Right) A security guard and a U.S. Park Police officer man a roadblock near San Francisco's Golden Gate Bridge on March 19, as new counterterrorism measures were put in place.



(Above) Airport police stop vehicles for random searches at the entrance to Los Angeles International Airport on March 20 after the start of the war in Iraq.



(Left) A Boston Police boat patrols the harbor near Logan International Airport on March 18 as a plane taxis in the background.



(Right) A Metropolitan Police officer takes a flower from an anti-war protester as he places her under arrest for lying down in the street and blocking traffic on H Street in Washington, D.C., on March 21.



## Reducing the death toll from non-lethal weapons

With 12 people dead and dozens injured around the country in recent years by beanbag rounds, the Santa Ana, Calif., Police Department has decided to switch to a less dangerous less-than-lethal weapon.

The FN 303 Launcher, sold by FNH USA Inc. of McLean, Va., weighs five pounds and uses compressed air to shoot only those projectiles is was designed to fire. It has a red-dot sight and propels a round at 290 feet per second, roughly twice as fast as a beanbag shotgun. The device also has an optimum range of nearly 55 yards. Eight of the \$1,500 weapons have been deployed to patrol officers, who began training on them earlier this year. "Beanbags, depending on the type you use, [had] problems with accuracy," Sgt. Baltazar De La Riva of the department's media relations unit told Law Enforcement News. "Depending on the distance between the round and the suspect, they were causing some serious injuries." That was one of the aspects that was considered in the purchase and use of these launchers.

Although it looks somewhat like a shotgun, the launcher has a round barrel — like a Tommy gun — and can hold 15 rounds, giving it greater capabilities than shotguns converted to fire less-

*Santa Ana wants to make sure officers can tell a beanbag gun from a shotgun.*

than-lethal munitions, said De La Riva. The pellets it uses, which can be filled with water, paint or pepper spray, will explode on impact and disintegrate. Another safety measure is the launcher's orange strap, which will help officers distinguish the weapon from an actual shotgun, he said.

Last October, a Redondo Beach, Calif., officer killed an unarmed man suspected of being a car thief when he was inadvertently handed a shotgun instead of a beanbag stun gun. The 40-year-old victim was killed instantly when he was hit in the chest. And in 1995, a Contra Costa County, Calif., deputy killed a 42-year-old man when he fired a shotgun instead of a beanbag round.

The Santa Ana officers were selected based on their interest in the launcher, said De La Riva. While the department had at first considered giving supervisors the device as part of their standard equipment, it was decided that the launchers could best be used in the field.

## Peril on the high seize:

Confiscation statute seen as hindrance

Police and prosecutors in Lincoln County, Ore., argued before the state's appellate court last month that a law prohibiting the seizure of property in the absence of a criminal conviction is creating an obstacle for law enforcement.

Measure 3, as it is known, was approved in November 2000 by two-thirds of voters. It amended the state Constitution to require that authorities prove the property they wish to seize is associated with a crime. If no conviction is won, any seized property or cash must be returned. Moreover, local governments and law enforcement are prevented from keeping the proceeds. Under the law, 75 percent must be allocated for drug treatment, education and prevention programs.

Two years ago, the Lincoln County Regional Narcotics Team challenged Measure 3 on the grounds that it contained too many provisions. Under the state's Constitution, two or more amendments have to be voted on separately. Voters should have had the opportunity to approve each of the reforms encompassed in the bill, said Rob Bovett, an attorney for the county.

The county makes a distinction between the requirement of a conviction, and the restriction on using the proceeds — 40 percent of which now

goes to drug treatment programs.

"Does a 'yes' vote requiring conviction before forfeiture imply a 'yes' vote in restricting the use of forfeiture funds? I think the answer is no," Bovett told The (Portland) Oregonian in an earlier interview. "Voters have a constitutional right to vote on those separately."

Kate Georges, an attorney with the state Department of Justice, countered that the measure simply gave rights to private property owners in civil forfeitures. The requirement of a conviction and the restrictions placed on forfeited funds are viewed by the state as a single protection.

Marion County Circuit Judge Pamela Abernathy had agreed with the state, ruling that the provisions were closely related.

In her argument in January before the appellate court, assistant Attorney General Mary Hazel Williams urged that the law be upheld. There could be no reason to overturn it, she said, unless it is clear beyond a reasonable doubt that the constitutional change is invalid.

According to the state Criminal Justice Commission, forfeitures reported by law enforcement agencies decreased by 75 percent in 2001, after the measure took effect.



# A fine line between missing person & murder victim

A series of articles by a Seattle newspaper that exposed the ways in which serial killers get away with murder when police fail to take missing-person reports seriously — particularly those involving teenagers, prostitutes and the homeless — recently led lawmakers and law enforcement officials to discuss how such investigations can be standardized and improved.

According to the series of 10 articles published by The Seattle Post-Intelligencer in February, local police agencies routinely hotch missing-persons cases. The newspaper analyzed reports from 91 Washington agencies, dating back to 1980, of people who have been missing for one year, along with the State Patrol's master list of 2,000 cases and other databases, and concluded that 130 missing people may have met with foul play, and at least 25 of them at the hands of a serial killer.

"Missing persons is always a problem when you're dealing with serial murder, an area I research a lot," said Steven Eggers, a criminologist at the University of Houston-Clear Lake and a former police officer. "Overall, police are not trained in dealing with missing persons. You only see a bunch of information in recruit school. There is very little specialized information out there, very little specialized training."

In a database that Eggers has compiled on serial murder, covering the entire 20th century, roughly 75 percent of the victims of 1,300 serial killers fall into the category he refers to as the "less dead." These people, said Eggers, were considered "less alive" by authorities because they were "throwaways," like vagrants and migrant workers.

"Serial killers don't pick on weightlifters or professional wrestlers," he told Law Enforcement News. "They pick on somebody who is vulnerable. Prostitutes, unless they work for an expensive call girl operation, are very vulnerable in most instances because they're walking the streets in an area of a town and get into cars," said Eggers. "People don't pay attention to what call girls do. They move around, so they're not reported missing for some time."

He pointed to the case now pending against accused serial killer Robert Pickton in Vancouver, British Columbia. Pickton is on trial for allegedly murdering 15 women, most if not all of them addicts and prostitutes. He is believed to have killed as many as 60 women over the course of 20 years and burying them on his pig farm.

Another example is the Green River Killer, said Eggers, where reports of missing women were initially not taken seriously. And in Spokane, a woman who turned out to be a victim of convicted serial killer Robert Yates was reported as having disappeared after last being seen getting into a white Corvette that had belonged to Yates.

"Prostitutes and people with transient lifestyles are easy to prey on," Wayne Lord of the FBI's Child Abduction-Serial Killer Investigative Resource Center told The Post-Intelligencer. "Serial killers know that, and they know that these kinds of victims are a lot harder to track."

One of the issues is that no laws are broken when an adult goes missing. People disappear for a variety of reasons, Eggers noted, including escaping financial pressure and debt. Some in law enforcement would argue that police manpower is not best spent in chas-

ing down missing persons reports.

"The bottom line is, all police officers would love to be able to follow up on every one of these things," Bill Hanson, executive director of the Washington Council of Police and Sheriffs, told The Associated Press. "It comes down to manpower and money... There's just never enough."

With funding cuts expected, there

County detective who worked on both the Ted Bundy case and the Green River Killer investigation. The newest report would go on the top of the pile, he told The AP, and the one on the bottom would go in the trash.

"These were viable cases with people who were probably murder victims," he said. "No work was done. Nothing Zero."



**NOT JUST MISSING PERSONS:** A bulletin board shows dozens of suspected victims of the Green River Killer.

is little police can do as long as there continue to be homicides, rapes and other violent crimes that need immediate attention, said Larry Erickson, executive director of the Washington Association of Sheriffs and Police Chiefs.

Jenny Wieland, executive director of Families and Friends of Violent Crime Victims, told The AP that law enforcement agencies in Washington state have made improvements since the mid-1970s, but "we still find cases where loved ones have told us that their initial calls to local police departments were not taken seriously, and the bodies wind up being found weeks or months or even years later."

During the 1970s, one agency in western Washington had a unique way of dealing with missing persons reports, recalled Bob Keppel, a former King

While it may seem as though the Pacific Northwest has more than its share of serial murderers — Bundy and the Green River Killer being two of the most notorious — it has been suggested that perhaps law enforcement there is just better equipped to detect them.

In addition to ViCAP, the national database created in 1985 by a former Los Angeles homicide investigator and Oregon police chief Pierce Brooks, the Pacific Northwest is home to a network administered by Washington's attorney general's office. Called the Homicide Investigation Tracking System, or HITS, it is a unit of six veteran homicide investigators who track violent crime statewide. Each of its members served with local departments and is responsible for a given region of the state. The investigators collect data on

violent crimes from agencies and provide consultation on tough cases.

HITS was developed by Keppel in 1987. It was expanded in 1991 to include reports of "missing persons with foul play" in its database. At last count, HITS included 7,404 murders and disappearances — primarily from Washington, but also some from Oregon and Idaho. Some 1,877 are unsolved, and 178 are missing-persons cases in which the individual is believed to have met with foul play, according to The Post-Intelligencer.

"In some states, 'serial' is what they have for breakfast," said John Turner, HITS' chief criminal investigator.

Programs such as HITS are crucial for fighting what Eggers has termed "linkage blindness," or the inability of law enforcement agencies to recognize related crimes.

In 2002, New York lawmakers passed legislation that requires case information be sent to ViCAP, and an online ViCAP system has allowed the system to grow from the 17,000 cases it held in 1998 to 80,000 today. The Post-Intelligencer reported

"If it's a prostitute dumped nude in an alley somewhere, we probably won't be able to give as much help as we'd like," said Kirk Mellecker, a major case specialist with ViCAP. "But if you're got a string of prostitutes dumped across five states and each of them are wearing a red bow tie, that's where we can step in and help police recognize patterns. The main benefit here is that through ViCAP, we're bringing police agencies together."

This month, officials from the Washington attorney general's office said they would be bringing key law enforcement officials together to discuss ways of improving communication between agencies. The as yet unscheduled meeting would include representatives of HITS, the State Patrol, the Washington Association of Sheriffs and Police Chiefs, and the attorney general's Criminal Justice Division.

Chief Ronal Scras of the State Patrol said he intended to develop formal training protocols from missing person

investigations. Wallet-sized instruction cards will be distributed to officers to be used as guides in collecting evidence critical to such cases. He also plans to improve training materials, particularly stressing compliance with a state law that requires police to obtain dental records for missing persons.

State Representative Al O'Brien of Mountlake Terrace, a former Seattle police officer, said he would introduce legislation to create a statewide missing-persons policy. Under O'Brien's proposal, police from all local agencies would use standardized forms and the waiting periods for accepting reports would be eliminated.

While many departments refuse to take reports on missing adults unless they have been gone longer than 24 hours, federal law requires that reports be taken immediately when a juvenile disappears.

"That was part of the reason why John Wayne Gacy got away with some of the killings he got away with," said Eggers. "A lot of those young men were reported missing and they weren't taken seriously at all. Same problem with [Jel-frey] Dahmer."

Eggers contends that police need to change their attitude about missing teenagers. All reports of missing juveniles and children should be considered abductions, he said, noting that police are better off making that assumption and then eliminating that possibility. Kidnappings by strangers occur in Washington state approximately 200 to 300 times a year, he said, citing a five-year-old study that used a sampling of local police departments.

"Spread that out across the country, and take a look at the thousands of kids that go missing every day, very few are going to be stranger abductions," said Eggers. "Making the assumption they're abducted from the start, it protects the officer in terms of liability, and it may save lives."

The study, he said, found that 74 percent of children abducted are killed within three hours. Since it takes a few hours, on average, to report a child missing, there is "a very small window."

## Sharply divided High Court makes it official: three strikes & you're in

Rejecting constitutional challenges to California's "three-strikes" law, the U.S. Supreme Court on March 6 upheld the convictions of two men whose petty thievery earned them lengthy third-strike sentences without parole.

A deeply divided Court ruled 5-4 in the cases of both Gary Albert Ewing and Leandro Andrade.

Ewing, 40, stuffed \$1,200 worth of golf clubs down his pants and walked out of an El Segundo golf shop in 2000. A drug addict with AIDS, Ewing had 10 convictions on his record, including four for robbery. He was sentenced to 25-years-to-life in July 2001. Ewing had appealed on the grounds that the sentence violated the constitutional ban against double jeopardy, but the California Supreme Court denied his request for a hearing.

Andrade, 44, had served three prior prison terms for crimes including residential burglary. In November 1995, he shoplifted videos worth \$84.70 from an Ontario, Calif., K-Mart. He was caught two weeks later when he tried stealing

another \$68.84 in videos from a K-Mart in Montclair.

The U.S. Court of Appeals for the Ninth Circuit, based in San Francisco, overturned the conviction on the grounds that the 50-year-sentence imposed on Andrade violated Eighth Amendment protections against cruel and unusual punishment.

Justice Sandra Day O'Connor, in an opinion joined by Chief Justice William H. Rehnquist and Justice Anthony M. Kennedy, wrote that neither sentence was so grossly disproportionate as to violate the Eighth Amendment. Any criticism of the law, O'Connor added, should be addressed to the Legislature.

Justices Antonin Scalia and Clarence Thomas, while voting to uphold the convictions, rejected O'Connor's argument. The Eighth Amendment, they said, addresses only types of punishment, not sentence lengths.

In arguing the Andrade case before the Court, California Attorney General

Bill Lockyer maintained that the Ninth Circuit court had overstepped its jurisdiction under the current habeas corpus statute, a 1996 law called the Antiterrorism and Effective Death Penalty Act. A federal court, the law states, cannot overturn a state court conviction without finding that the conviction "contrary to, or an unreasonable application of, clearly established federal law" as determined by the Supreme Court.

The Supreme Court majority agreed. Since the precedents established in rulings dating back to 1980 have been inconsistent, O'Connor found that the state courts' rejection of Andrade's appeal was not "objectively unreasonable."

But Justices Stephen G. Breyer, David H. Souter, John Paul Stevens and Ruth Bader Ginsburg, the four dissenters in both Ewing v. California and Lockyer v. Andrade, argued that precedents for disproportionality had been met.

"If Andrade's sentence is not grossly

disproportionate, the principle has no meaning," said Souter.

In the Ewing case, Breyer called the 25-year sentence "virtually unique in its harshness for his offense of conviction."

Had Ewing been convicted in federal court, he would have received no more than 12 to 18 months. Even in the nine states where Ewing could have theoretically been sentenced to 25 years, there would have been the possibility of an earlier parole, said Breyer.

California's three-strikes law, which was overwhelmingly approved by voters in 1994, requires that anyone convicted of a third felony after two prior convictions for serious or violent crimes be sentenced to a term of 25 to life. A second serious or violent felony requires that judges impose a sentence twice the standard term.

At present, 7,626 men and women are serving time for a third strike, according to statistics from the state Department of Corrections. That includes 300 whose third offense was a "petty theft."



## They may only be rookies, but they're having an impact

They still might need some help with writing their reports, and in learning how not to yell into their radios, but New York City police rookies have been key players in a new initiative aimed at saturating high-crime areas with blue uniforms.

"What we did was an analysis based on historical data — information from our borough and precinct commanders to identify areas that can be helped by a significant uniform presence," said Police Commissioner Raymond Kelly.

The 1,400 rookies assigned to the program, called Operation Impact, will crack down on even the smallest offenses, a la Broken Windows. Graduates of the NYPD's most recent police academy class, they have supplemented detectives and patrol officers since February in locations pinpointed by Compstat as crime hotspots.

"We have to adapt, to develop new strategies, to do more with less and to do it better," Kelly said. While crime fell overall by 5.3 percent in 2002, shootings rose by 1.3 percent. In Brooklyn's 77th Precinct, shootings soared by 41 percent last year.

Among the 61 neighborhoods targeted under Operation Impact are 38 subway stations, the Soundview and Morris Heights sections of the Bronx, Brownsville in Brooklyn, the Times Square impact zone and a 25-block zone in the commercial center of Jamaica, Queens. Although they make up less than one-tenth of the jurisdiction, Times Square and the commercial sector of Jamaica accounted for nearly one-third of major crimes in their respective precincts in 2002.

"I want to see cops everywhere," said Deputy Insp. Robert Napolitano, the commander of the 103rd Precinct in Jamaica, who has 17 rookies for each of two overlapping eight-hour shifts.

The initiative was to run just two months, but the rookies will remain with the assignment for an additional two months. Kelly is considering extending the program, perhaps by using overtime. But unlike other initiatives, such as Operation Condo, Operation Take Back and Operation Pressure Point, Operation Impact does not focus solely on drugs, or just displacing crime, officials told The New York Times. Nor will it consume a large portion of the department's overtime budget. Launched on Jan. 9, Operation Impact is expected to cost \$8 million to \$10 million in overtime.

Kelly has already credited it with cutting crime in targeted areas by 50 percent, with no shootings or homicides.

However, Operation Impact has come under withering criticism by the Patrolman's Benevolent Association, whose president, Patrick Lynch, called it a "Band-Aid on a gunshot wound" meant to disguise the fact that there are not enough police on the street.

In 1995, the department was at its highest staffing levels, with 15,210 patrol officers. Last year, the figure had fallen to 12,855, for a decline of more than 15 percent. Overall there are currently 37,200 sworn personnel, compared to 40,800 three years ago.

"The precincts are the backbone, the infantry of the police department," said Thomas Repetto, the president of the Citizens Crime Commission, told The Daily News.

### It's sworn ranks dwindling from an all-time high of 40,000-plus, the NYPD tries yet another way to do more with less.

"There needs to be enough police strength to prevent the crime. There need to be cops seen out on patrol to deter crime."

Kelly has also warned of the potential that as many as 1,000 officers could be laid off, and another 500 not hired as the city copes with its worst fiscal crisis in a half-century and demands by Mayor Michael Bloomberg that the NYPD trim another 3 percent — or \$94 million — from its 2004 budget.

The issue, however, is not how many officers there are, but how they are assigned, maintained Michael O'Looney, the NYPD spokesman. "You have to look at the results, and the results are remarkable."

Murders in the city are at a 40-year low, and overall crime is down by 8 percent this year. The number of officers assigned to specialized units, such as counterterrorism, intelligence, narcotics and warrants, has increased, as well.

For the new officers, it can be frustrating not to be able to put to use everything they have learned in the academy. Much of the assignment involves foot patrols along cold, lonely streets, where not much is happening.

In Times Square, the owner of a 24-hour Internet café that functioned as a haven for gang members and addicts agreed to shut down by 1 a.m. That meant even fewer people to arrest.

"I was going to write a parking summons, but the lady came right out," said 22-year-old Officer Pádraig Primrose to his supervising officer.

And the rookies are still learning. In one case, Sgt. Richard Mack handed back a form that he said lacked detail. "We're not report-takers," he said. "We're investigators."

## Finding out the hard way that emergency alert doesn't work

Continued from Page 1

"Why that happened, I don't have a clue because I didn't put it in. The technicians tested it and everything like that, but it didn't work."

So the department tried its EBS, which was still up and functioning.

"Lo and behold, the machine that sends it out in the Ward County Jail failed on us," said Debowey. "We were in good form then. It had been tested just a few days before and it worked fine. We took it over to a radio guy afterward, and he said it just needed some routine maintenance and cleaning."

Then the department tried using the telephone to call the radio station, but no one ever picked up. "We rang it and we rang it and we rang it and he never answered the phone," Debowey said. It took over an hour and half for police to make contact.

In the meantime, police alerted some of the news staff from the local television stations, an NBC and a CBS affiliate. But the city's NBC affiliate was down that night, said Debowey. Everything else comes through cable, so there are no broadcast stations. And instead of turning on the station, one of the reporters grabbed a video camera and started recording, he said. "The other stations finally got on the air," the lieutenant said. "It took a while for them to get on line."

What happened in Minot is a stellar example of how little thought has been given to the communication and information systems that are the heart of all public safety and critical incident response, said John Cohen, president and chief executive of PSComm, LLC, a firm specializing in public safety telecommunications issues.

Cohen, who currently serves as a consultant to state officials in Arizona and city officials in Detroit, said that after the Sept. 11, 2001, terrorist attacks,

state and local governments were active in setting up operation centers that focused on emergency response. However, Cohen said they generally overlooked what he called the "business process issue," such as the impact on 911 systems that need to off-load non-emergency calls during an incident, how residents would obtain access to social services, how the radio and telephone systems work and how information would be sent out in the event of a catastrophic service outage.

"What you're beginning to see now," Cohen told LEN, "is state and local governments beginning to take more of this a step backwards and say, 'Wait a minute, homeland security is something we're going to have to do forever — it's not simply waiting for a terrorist to run a plane into a building.' It can be a whole host of critical incidents, some of which are terrorism-related and others, the vast majority of which, are not. You're starting to see state and local governments say, 'Let's take a look at our day-to-day infrastructure, our telephone system, our information systems.... How do things work?'"

The time to find out that a 911 system does not have the capacity to handle the call volume is not when a city is under attack, Cohen said.

In the case of Minot, when police could not send out an emergency alert over the radio, the department's four 911 lines and seven administrative lines were swamped. Within two hours, said Debowey, the agency received as many emergency calls as it normally receives in a month.

"We were inundated," he said. "We couldn't talk to people. A lot of them wanted us to console them, and you can't in an emergency, you just can't. And they needed information. Until the radios and the television got on the air,

the way to get information out was through that telephone call."

In 14 months since the accident, the city has established a steering committee of police, fire and communications officials through its Office of Emergency Management and its Emergency Resource Council, which has developed a host of new procedures and backup plans.

For less than a \$100, a computer battery backup was purchased that has eliminated the type of power surge that caused the EAS equipment to lose its programming. The unreliable Emergency Broadcast System has been discarded.

There is no longer any need for someone to be at the radio station when an emergency message comes through as long as the station, Minot's KCJB, has its emergency alert equipment forwarding the signal automatically. And should the station go down, said Debowey, the department has a hotline to the state capital in Bismarck, the National Weather Service, and North Dakota State Radio.

"All we have to do is get on the hotline and say we have this emergency, and they take care of it for us," Debowey said.

The department has an unpublished telephone number for a radio station in Bismarck that is the state's leading disseminator for the EAS. It created a calling tree that has four emergency cell phone numbers for people in each of the organizations that would have to be contacted, said Debowey.

"We won't publish these, we won't give them to anybody, four-deep, so if someone isn't home, we can go on to the next till we get in contact," he said. "We update that quarterly — we're pestering these people every three months. Now we are keeping track because the public needs to know."

## Pilot project takes aim at one tough Chicago neighborhood

Continued from Page 1

of figuring out what resources the program was going to bring him right away that he was going to use. He had a list in his desk of 800 abandoned buildings he had already assembled. He pulled it out and made that the responsibility of the city services component of the program. They did a tremendous amount of clean-up, fix-up, paint-up, knock-down. However, it has just as many abandoned buildings now as it did then because the fundamentals are that it's isolated, poor, few home owners, rents are low, vacancies are high, and it's not a desirable place to move into. So nothing fundamental has changed about Englewood."

The community did share some of the tremendous drop in crime that Chicago has enjoyed as a whole, Skogan said. Crime was high there when CAPS started, and it is a lot lower than it was.

"A lot of human suffering has been alleviated by that big drop in crime in Englewood," said Skogan.

Chicago's homicide rate last year of 22.3 per 100,000 was the highest among the nation's nine largest cities with populations of over 1 million, and was four times the national homicide rate of 5.6 in 2001. Last year, Chicago

had 647 murders. Los Angeles led the nation with 658, while New York, which has three times the population of Chicago, had just 600.

According to Dr. Gary Slutkin, who in 1995 founded the Chicago Project for Violence Prevention, entrenched street gangs and their gun battles for control of the drug trade have accounted for many of the killings in Englewood.

CeaseFire, a component of Slutkin's project, which is based at the University of Chicago's School of Public Health, began posting was he considered "public education messaging" — signs bearing slogans like "Don't Shoot, I want to Grow Up."

Hundreds of thousands of these signs now appear in Englewood, although the project is not responsible for the handmade ones. Slutkin told The New York Times that he hoped the signs do for gun violence what similar campaigns have done for AIDS and cigarette smoking.

While crime overall fell slightly in Chicago, murders in Englewood rose last year to 61 — an increase of 17 from 2001. This year, however, Englewood had recorded just four homicides by the end of February, compared with 12 during the same period in 2002.

As part of the ROGUES program, police in Englewood, as well as those in the Chicago Lawn and Deering districts, the Grand Cross, Pullman and Gresham districts, the Marquette District, and the Shakespeare, Austin and Grand-Central districts, will receive new training on getting search warrants and seizing assets.

The goal is not to increase the number of drug arrests in the neighborhoods, but to enforce harsh sanctions against those people who are causing the most problems early in the game with felony upgrades, increased bail and geographic restrictions.

"It's up to the watch commanders and lieutenants in the districts to recommend appropriate candidates, and it's up to the assistant state's attorneys to ask the judge for appropriate restrictions," David Bayless, a police spokesman, told The Chicago Sun-Times.

While the immediate goal of ROGUES is to remove dealers from the street, Magats said he hopes the program will eventually reduce the homicide rate in Englewood.

"The main thing is we crack down on them, they get arrested, they're given severe penalties, hopefully they'll just go someplace else," he said.



# Wary of its closeup

## LAPD takes on Hollywood to protect its image

With an explosion in the past year or so in the number of television shows and movies about cops, which ones will get the imprimatur of an agency like the Los Angeles Police Department? Usually, the ones that show that the badge still has some shine, officials say.

The LAPD badge and logo were given trademark protection status in 1999, but when it comes to enforcing that legal status, the ground is a little shaky. Under a ruling by the Ninth Circuit Court of Appeals, the department's intellectual property can be used in fictional portrayals.

Still, the department can show its displeasure — and has — by not granting ride-alongs, withholding access for writers wishing to conduct research, and not allowing set designers access to LAPD buildings. One show that has gotten an emphatic cold shoulder from the LAPD, for example, is the FX network's popular and critically lauded series "The Shield."

The program, whose main character is a tough, zealous officer who lies, steals and orders the killing of another cop, was originally called "Rampart." The department balked, and the name was changed. Instead of taking place in Los Angeles, it is set in a fictional city that has lots of sun and palm trees called "Farmington."

By contrast, a theatrical film that has received the agency's blessing — and its permission to shoot in front of the LAPD's Parker Center headquarters — is "Hollywood Homicide," a comedy by director Ron Shelton that tells the story of a pair of sympathetic officers who conduct a murder investigation while moonlighting as a realtor and a yoga instructor. The movie, which stars Harrison Ford and Josh Hartnett, will be out next summer.

The department was not as cooperative when Shelton was making "Dark Blue," a film released last year about a rogue cop that is set amid the backdrop of the 1992 riots.

"Does 'Hollywood Homicide' show that cops are perfect? Absolutely not," LAPD public information director Mary Grady told The Daily News of Los Angeles. "Cops aren't perfect. But there are more good officers than bad ones in the department, and they deserve to have their department shown in a decent light."

The demand for official assistance and sanction has been so great that the department is setting up its own entertainment and trademark division to deal with the requests.

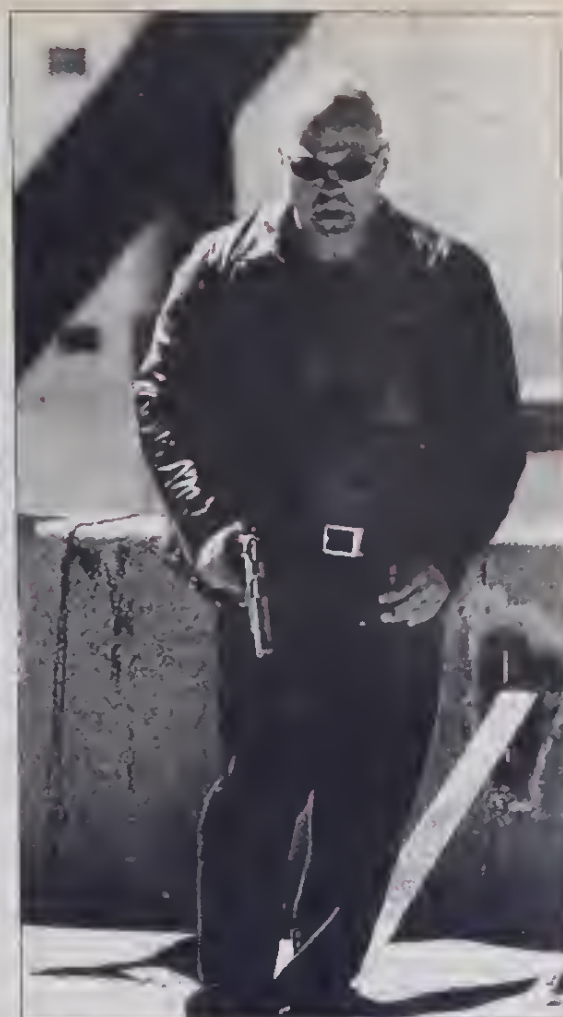
Among the most watched television shows are CBS's "CSI," which is No. 1 in the ratings. A spinoff, "CSI: Miami," has been a hit this season. NBC has the "Law & Order" franchise, consisting



**THUMBS UP:** Harrison Ford (l.) and Josh Hartnett in a scene from the forthcoming (and LAPD approved) "Hollywood Homicide."

of three shows, which is set in New York, and ABC has a new updated "Dragnet" series. In addition, there are 10 new police dramas on the books for the upcoming fall season, and cable channels are considering remakes of such classic cop fare as "McCloud," "Baretta," and "Kojak."

Said Grady: "We want to work with Hollywood. When they were filming 'Hollywood Homicide' over at the Hollywood Station, I can't tell you how excited people were to have the department be a part of that. There are more than 9,000 hard-working people in this department who put themselves out there every day. And they deserve to be afforded some respect."



**THUMBS DOWN:** The LAPD refused to give its imprimatur to the TV series "The Shield," starring Michael Chiklis as the rogue cop Vic Mackey.

### Haves & have-nots:

## More level playing field sought for training

With Colorado ranked nearly last in the nation in terms of funding for in-service law enforcement training, officials have thrown their weight behind a bill that would raise enough money each year to establish a grant program for small, rural departments.

Senate Bill 103, which passed the House on Feb. 13 and is now before the Senate Appropriations Committee, would impose a 25-cent fee on annual motor vehicle registrations. The money would create a small pool for the Peace Officers Standards and Training (POST) board, which has the authority, but not the funding, to conduct continuing education and training. A similar bill introduced by the POST board last year failed in the House by one vote.

"We have a kind of unique environment here along the Front Range, which would be Denver Metro and up and down 50, 60 miles each way," Craig Police Chief Walter Vanatta, the president of the Colorado chiefs association, said in an interview with Law Enforcement News. "They're fairly well funded, but you get outside of that little bracket, the rest of the state isn't quite that well off."

Each agency develops its own budget for training, said Vanatta. In Craig, with a population of approximately 10,000, the budget for in-service training is \$25,000. But in a smaller agency of 10 people that Vanatta noted, the budget is a minuscule \$1,200.

"Obviously you can't do much with

\$1,200," he said. "It depends on the agency and the focus, but there are a lot of agencies where if the officers get to a special training class once every two or three years, they're lucky."

Vanatta contends that such issues as use-of-force are well covered. Virtually all of Colorado's law-enforcement agencies, he said, require ongoing firearms training. Where the state is lacking is in such areas as cyber-crime and other specialized skills.

"There is very little cyber-training," he said. "We're getting more and more victims of Internet fraud here. We've had two in the last year. We just don't have the expertise to send people to that

kind of training, and unfortunately, it's pretty expensive."

Some agencies just focus on high-liability issues, like driving, said Vanatta. Interview and interrogation skills, and burglary investigation, are learned through trial and error, he said.

If the legislation passes, much of the money raised would go to smaller agencies. Over half of the 13,000 law enforcement officers in Colorado belong to departments with 15 or fewer members, noted Attorney General Ken Salazar. The state ranks 47th in the country in the amount of money spent on in-service training.

"Good training is the key to officers

making the right decisions," Salazar said in a prepared statement. "Colorado does not currently have the resources to provide law enforcement officers adequate training."

In addition to updated instruction on domestic violence, among other areas, training would also involved homeland security and domestic terrorism, said Salazar.

"I think I can say both literally and figuratively that we can't afford to have police officers and sheriff's deputies shooting from the hip when they encounter the types of things they encounter in terms of crimes and disorder," Arvada Police Chief Ron Sloan told

The Denver Post.

Another problem is that, unlike many states, Colorado does not require in-service training for recertification. In neighboring Wyoming, law enforcement officers must complete 40 hours every two years. Not only does the lack of such a requirement take away the incentive to provide training, said Vanatta, but the state is left with no leverage to make departments train people.

Chiefs are also concerned that if legislation is passed requiring in-service instruction, it will become another unfunded mandate dumped on the backs of local governments.

## Needs of police training & education transcend international boundaries

Law enforcement trainers and educators from around the world will have a chance to exchange ideas and information under the auspices of a new international organization dedicated to serving the needs of those in the field.

"As nations begin to cooperate with each other, it becomes clear that the international aspects of delivering education and training to society's protectors are more important as terrorism reaches virtually every nation," said Ed Nowicki, executive director of the International Law Enforcement Educators and Trainers Association, which will be

headquartered in Twin Lakes, Wis.

Nowicki, who has served as a law enforcement trainer for more than two decades, said the widely varied backgrounds of the professional trainers on the group's advisory board will benefit members. Each of the board members will bring a specific expertise to the table, he said.

Moreover, the executive director's position will be permanent, providing continuity to the association, said Nowicki.

"If the organization were structured in a manner that many organizations are

structured, in essence, this would be re-inventing the broken wheel," he said. "We want to make our 'wheel' to be built better and go faster and farther than any others."

Membership in ILEETA will be open to any active law enforcement educator or trainer, supervisor or manager of criminal justice education. Among other perquisites, membership will entitle one to a quarterly periodical, The ILEETA Digest, and free or discounted subscriptions to a number of other professional journals and publications.

ILEETA also plans to hold a conference and expo in the Chicago area each spring.

"I realize how high management salaries and management benefits costs can seriously drain financial resources," said Nowicki. "This top heavy, bottom empty approach to running an association does nothing but take benefits away from members... I will strive to secure genuine law enforcement educator or trainer benefits that can impact as many members as possible."

To contact ILEETA, call (262) 279-7879.



The yin & the yang:

## Deftly pulling back the curtain on fraud

### Fraud Exposed: What You Don't Know Could Cost Your Company Millions.

By Joseph W. Koletar.

Hoboken, N.J.: John Wiley & Sons Inc., 2003.  
208 pp., \$39.95.

By David P. Schulz

The subject is occupational fraud, which encompasses all the ways people on the job can cheat and steal from the organizations for which they work. But defining occupational fraud, Dr. Joseph Koletar notes, can be a problem. Is taking home a paper clip the same as padding an expense account? Is accepting a couple of tickets to a ball game from a supplier as much fraud as using a company car to do some personal shopping? Are perquisites exercised by senior management the same or similar to activities that would be labeled theft or fraud if performed by pink collar, blue collar and hourly employees? Is stealing the secret recipe for Coca-Cola and selling it to Pepsi as much occupational fraud as moles selling state secrets to Osama bin Laden or Fidel Castro?

Yes to all, Koletar says. Occupational fraud's impact on the economy is difficult to measure, but Koletar makes the case that it could be as much as \$600 million a year, possibly higher, and still growing.

This is not a handbook, how-to manual or here's-everything-I've-learned-in-my-field tome. Rather, Koletar grapples with a dizzying array of concepts, theories, statistics and definitions to try to bring some order to the crime of occupational fraud. The book fulfills the author's promise that more questions will be raised than answered, but in doing so, Koletar makes the case that agreement, or at least working standards, are needed in order to make effective progress in the battle against occupational fraud.

He expends much effort, and many pages, on such theoretical issues in setting the stage for his central thesis, in Chapter 2, that controls are an organization's best defense against occupational fraud. The fraud that does occur, Koletar argues, is almost always the result of the absence of controls, inadequate controls or the tepid application and enforcement of controls.

Only rarely are good controls, properly implemented, circumvented by clever and determined fraudsters, to use one of the author's coinages.

When an organization's controls are overridden, Koletar's argument goes, it is often at the behest of, with the compliance of, or under the nodding oversight of top management. In other words, if the bosses are not vigilant in maintaining and observing those controls themselves, it is not surprising that employees will seize opportunities to behave malevolently, or at least improperly.

It is not unusual, Koletar writes, to investigate a significant occupational fraud and see that the organization has fine controls — on paper. They have just not been followed or were overtaken by events. Control systems can age and become out of alignment with the new shape of an organization or its current operations and interests. Koletar speaks from experience, having been with the Federal Bureau of Investigation for 25 years before serving as an executive in investigative positions with Deloitte & Touche and Ernst & Young.

After serving up a staggering amount of

peripheral information, Koletar really gets into his subject in the last few chapters of the book. Prior to this, he exposes us not only to the thinking that led to his conclusions, but to the processes that shaped those conclusions. He cites voluminous sources, some supporting one another regarding a particular premise or approach, others espousing contrary positions or a different perspective entirely. Throughout, Koletar tells us what he thought after reading these sources, what questions were raised in his mind and, on occasion, what interim conclusions he divined.

For example, Koletar traces some of the nuances of what white collar crime is, what corporate crime is and what unethical behavior might include and how all these may, or may not, involve occupational fraud. For example, he says that paying bribes to get business, illegal trading practices, and polluting streams or dumping hazardous material might be any or all of the aforementioned, but they are not occupational fraud.

In his yin and yang style, Koletar can say, "Perhaps the only thing worse than not having an ethical framework that operates to guide the organization, its operations and employees, is to have a paper program" that is rarely or ineffectively honored. Yet only a few pages earlier, he allows that too many rules too rigorously enforced can choke the efficiency and productivity of any organization.

The reality in most workplace situations, the author suggests, is that anti-fraud operatives "probably have more than they can handle now, but without adequate organization intelligence, they have no grounded, verifiable idea of what unseen threats they should be addressing."

His solution is to have the occupational fraud personnel — forensic professionals, as he frequently refers to himself and his colleagues — ensconced with the risk management and risk mitigation functions within an organization.

Koletar does not pretend to have all the

answers, perhaps not even the best definitions or descriptions of his subject, but he does conclude, "Through research, introspection, and the promulgation and testing of theories, we must become better and more effective in understanding this creature called occupational fraud."

With all his experiences wrapped up in this work, and a staggering amount of research, Koletar appears to have been ill-served — perhaps undermined is not too strong — by an uncaring publisher. This is surprising since John Wiley & Sons is both a large and respected house. There is little evidence of an editor guiding the expert writer in terms of organization and convention. Why are there 581 footnotes (endnotes, actually) in a text of such a modest size? Copy-editing is equally lax ("plain" for "plane"; FBI spy Robert Hanssen's name gets through spelled Hansenn, to name a couple of easy fixes). The sloppy proofreading you will note for yourself.

The book's index, a necessity to make a book like this useful in classrooms and as a reference long after it is first read, is a skimpy four pages, where former New York police commissioner (and current Los Angeles police chief) William Bratton gets more mention than the Securities and Exchange Commission, Financial and Accounting Standards Board and FBI combined.

Having said that, however, these publisher's shortcomings should not deter readers, whether they are directly involved in occupational fraud or are organizational managers who may have to confront the reality of such activity.

(David P. Schulz is co-author of "The Counterterrorist Hand Book: Tactics, Procedures and Techniques, 2nd edition," [CRC Press, 2001]. He writes frequently on employment practices, internal auditing, risk management and human resources issues for business-to-business.)

### Mind games:

## Radical recipe for reducing police stress

### Stress in Policing.

By Hans Toch.

Washington, D.C.: The American Psychological Association, 2002.  
257 pp., \$39.95.

By Philip Bonifacio

Police stress has been an area of interest for researchers and practitioners since the 1970's, when police officers were being assassinated in the streets of America's cities. There has been a debate in the literature since then about what police stress is and how it operates. One view in this debate is that police stress is largely the result of the department's rigid and authoritarian treatment of its officers. According to this view, the paramilitary structure of most police departments causes administrators to treat their officers in way that is best described by the legal cliché, "arbitrary and capricious." In the parlance of the street cop, stress is the result of departmental "bulls—t" and "politics."

Hans Toch has been studying and publishing papers and books on the psychological aspects

(Philip Bonifacio, Ph.D., is a professor of psychology at John Jay College of Criminal Justice in New York. He is the author of "The Psychological Effects of Police Work: A Psychodynamic Approach" [Plenum, 1991].)



of police work for nearly 40 years. He has looked at police anomie, excessive force, community policing and police violence, and has concentrated on the officer's internal experience as well as his or her behavior. In his latest book, "Stress in Policing," he examines occupational stress in an urban and a suburban department, although the title is somewhat

misleading in that the book goes beyond its ostensible goal of exploring police occupational stress. It also presents a "how to" research methodology for organizational consultants who may wish to collect data, and advocates a radical proposal for reforming police departments in order to reduce police stress.

In the preface, Toch makes clear his position that the department is the primary cause of police stress:

"[I]t has become painfully obvious that stress-related concerns of police officers are disproportionately organizational.... The thesis of this book [is] that no matter what else we may do to prevent and ameliorate stress, organizational change may hold the key to improving the lives of police officers."

As a consultant to police departments, Toch was given extraordinary access to rank-and-file officers by two courageous police chiefs, one of a city and the other of a suburban jurisdiction. He sought to obtain information about stress from the officers themselves by using interviews, focus groups and non-participant observation to develop a questionnaire and to analyze data. He devotes considerable attention to explaining his methodology and showing how it enhances the validity of the data.

The structured interviews revealed sources of work satisfaction and dissatisfaction that are familiar to those acquainted with the topic. Officers found excitement, providing help, exercising interpersonal skills, getting positive

feedback from civilians and receiving support from their peers to be very satisfying. Sources of dissatisfaction were the death or abuse of a child, empathy with victims, difficult partners, problems with supervisors, unfair promotion and reward practices, time pressures, uncertainty about decisions, and racial and gender relations in the department. Managing one's emotion both on the job and at home were also of great concern to officers. Toch concludes that police officers are aware that the job can be stressful, but they also view their work as gratifying.

The focus groups gave the same sources of work satisfaction as did the structured interviews, but showed that the sources of dissatisfaction "took vehement center stage" and had to do with their treatment by the department. These stressors were administrators giving undue credence to civilian complaints, unfair promotion and reward practices, inequitable punishment, inconsistent procedures, and indifference by senior administration. The job also brought stress on the family, particularly in terms of feeling stigmatized and coping with shift work.

The survey data, too, were largely consistent with those of the interviews and focus groups. The most frequently cited stressors were again connected to departmental politics, leadership and lack of information. Perhaps the most telling data were obtained from the question asking if officers' professional commitment was diminished by the department's actions: 40

Continued on Page 14



**Reinbolt:**

## Sometimes thinking small can produce big results

By Scott Reinbolt

Mansfield, Ohio, is a mid-sized Midwestern community with a dark past. Once known as "Little Chicago," the city was a mecca for drugs, gambling, prostitution, pornography and the public corruption that naturally flows from such activities. From 1978 to 1993, the residents of Richland County, of which Mansfield is the seat, saw two sheriffs indicted, a third quit under fire, several deputies indicted, and a city police lieutenant convicted of aggravated murder — a crime he committed while on duty. This troubled past left a legacy that may include more than 20 unsolved murders in a county with a population of only 125,000.

In 1988 an upstart young defense attorney named James Mayer Jr. made a bid for Prosecuting Attorney. His father was a criminal court judge who had been drummed out of office for his honest appraisal of the local political climate; needless to say, local oddsmakers viewed Mayer's candidacy as a long shot. Yet despite the odds, Mayer was elected the county's chief law enforcement officer.

One of Mayer's campaign promises had been to assign his investigative staff to the backlog of unsolved murders. While this may not sound like much, it was a revolutionary idea in a state where most Prosecuting Attorneys' investigators are political hacks or worse. Mayer's efforts met with some degree of success: six unsolved murders were cleared between 1989 and 1997. The case that was cleared in 1997 was the John Furhman homicide, which was worked jointly by Mansfield police Detective Frank Parrella and this writer. It was my first murder case after leaving the Ashland, Ohio, Police Department to become an investigator for Jim Mayer.

Parrella and I overcame a number of obstacles in order to clear the case, the biggest of which came from within the police department. Parrella's supervisor initially refused to authorize his overtime and travel to St. Louis for us to arrest and immediately interrogate our suspect, insisting that it would be more economical to have the St. Louis police make the arrest, then send us to extradite. This particular supervisor had been trained at one of the nation's premier police management schools, where he was apparently taught that building widgets and catching murderers are substantially similar undertakings. Luckily we were able to convince him otherwise, and when we cleared the case he submitted both of our names for commendations, which we received. Those commendations were a rarity in law enforcement: They were in recognition of "investigative excellence," an act of dedication that all too often goes unrecognized in law enforcement.

The second case I was assigned was the 1978 murder of Judy Ann Bruce. While the Furhman homicide was only slightly "cold" (we cleared it less than a year after it was committed), the Bruce homicide was a new challenge. Mountains of background information needed to be assembled and correlated, and literally hundreds of lateral interviews loomed before me. While Mayer was generous in providing financial resources for forensic testing, we knew that this case would have to be solved the old-fashioned way: with lots of shoe leather. And my shoe leather was limited: I could only work the case during lulls in other investiga-

tive activities. I figured that I would reach retirement before even the basic investigative tasks were completed.

I've always been naïve enough to ask, "Why not?" This is one of the traits that have endeared me to so many police supervisors over the years. Never has there been a profession more in need of passionate, civilized dissent than ours, and while

tive units that were operated by district or prosecuting attorneys. What if we were able to obtain grant funding for a small unsolved-homicide unit? My research into grant availability was disappointing. While there were a plethora of grants available for the politically sexy issues of narcotics, hate crime and domestic violence, there wasn't much available for plain old homicides. In addi-

Never has there been a profession more in need of passionate, civilized dissent than ours, and while in many professions this would be a virtue, in law enforcement it can be a career-ender.

tion, nearly all of the money had federal strings attached that added levels of bureaucracy, levels we knew would only hamper creative investigative thinking. It seemed the idea was just too simple.

I started to wonder if we could come up with enough money from the general fund to hire at least one more investigator to work exclusively on cold homicides. Several problems came to mind: Whom would we hire? Would one person give us the insight into these cases that we needed? Would the person have enough experience? What if we hired a "dud"? As has happened a number of

times before, the answer came through an informal conversation with an assistant prosecuting attorney from Washington County, Ohio, Alison Cauthom. During the conversation, she mentioned that her office had employed a retired Athens police detective to work on unsolved homicides. That was the seed.

I remembered working part-time security and traffic control details for extra money when I worked in uniform, and I knew that a number of outstanding local detectives were doing the same. I couldn't help but think what a waste of talent this was. I had seen these guys work and had seen the bureaucratic weights that bogged them down. I was intrigued by the thought of what they might accomplish if they were placed in a bureaucracy-free environment and given the freedom to work homicides restricted only by common sense and the U.S. Constitution. What if we could come up with enough money to hire this talent part-time to work on cold homicides? I took out a pencil, and figured that we could hire several part-time investigators for as little as \$25,000 annually.

Serendipitously, while I was doing all this thinking, the Board of County Commissioners had proposed a new sales tax, promising that the proceeds would benefit road maintenance and law

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**Forst:**

## Making sense of community policing

By Brian Forst

Community policing has as many faces as Zelig, Woody Allen's human chameleon character from the 1983 movie of the same name. Zelig showed up at the most fashionable parties, alongside marquee personalities of the day. The many faces of Zelig ranged from that of renowned actor to son of a jazz musician to brilliant doctor. Along the way, he manages to impress the likes of Susan Sontag, Irving Howe, Saul Bellow and Bruno Bettelheim, all playing themselves. Zelig's curse is that he has no personality of his own; he wants so desperately to fit in that he becomes whomever he's with. In the end, Zelig broadcasts amends over radio to all the victims of his misrepresentations: "I especially want to apologize to the Trochman family in Detroit.... I never delivered a baby before, and I just thought that ice tongs were the way to do it."

Like Zelig, community policing shows up everywhere, across the full spectrum of policing styles, from "zero tolerance" for squeegee-men and tumstile jumpers in New York under Commissioner William Bratton to Officer Friendly on foot patrol in downtown Seattle under Chief Gil Kerlikowske. Other faces of community policing include the problem solver and crime preventer, community builder, "weed-and-seed" strategist for drug-plagued areas, concentrator on crime hot spots, partner with other agencies, reducer of the bloated police bureaucracy, and proactivist rather than passivist, driven to deal directly to combat the signs of crime. Little that has been new to policing since 1985 has not qualified as yet another aspect of community policing.

Take one touted feature of community polic-

ing, the claim that it increases the autonomy of officers, reducing the command-and-control hierarchy and producing flatter organizations, with broader span of control and fewer mid-level managers. I, for one, have yet to see any reliable evidence that police organization charts have in fact gotten flatter over the past 20 years. This strikes me as a feasible test for a doctoral dissertation, one that should be fairly straightforward using actual organization charts, available historically from the archives of annual reports of municipal police departments throughout the land.

One might be able to conduct such tests for other elements drawn from the rhetoric of community policing. Is the rhetoric supported by the reality? When officials in every police department claim to be doing community policing — many say they've never done anything else — it becomes especially important to parse meaning from the concept, and subject it to testing.

### A Coherent Theory of Community Policing

The problem with community policing is its ubiquity, to the point of incoherence. Virtually every police department claims to be doing it — in part because the flow of many of billions of federal dollars over the past 15 years or so have been contingent on such claims — yet one face of community policing seems often to have little in common with another, so community policing appears to have no core meaning at all. It is as indistinct as Zelig's personality. It breeds cynicism.

Still, although they appear to have little in common, the two extremes of community policing have coherent, related justifications. The conceptual foundation for removal of squeegee-men in New York is the notion that police can prevent crime by eliminating the signs of crime and creating a sense of neighborhood guardianship — the renowned "Broken Windows" thesis propounded in 1982 by James Q. Wilson and George Kelling. The conceptual foundation for a kinder-and-gentler approach to policing is that the police should strengthen their legitimacy and achieve the goals of justice and order by building bridges to — and reinforcing the informal social control mechanisms in — the community.

There is, in fact, a coherent theory of community policing, one that draws together these disparate faces. It has received surprisingly little attention from criminal justice scholars and practitioners, due in part to the fact that it was formulated by two economists: Janet Yellen, who chaired the President's Council of Economic Advisers from 1997 to 1999, and her Nobel laureate husband, George Akerlof. The two developed their theory without the encumbrance of conventional terminology, concepts and constructs used by policing scholars and practitioners, and in a departure from the neoclassical economic assumption that tastes are fixed. Their central point was that community values are key to crime control, that traditional criminal justice approaches are likely to be counterproductive if they undermine those values.

Akerlof and Yellen postulate that in many inner-city neighborhoods the police compete with gangs in protecting the community against crime committed by outsiders. Community members recognize that the local gangs commit their own share of crime in the neighborhood, but these residents see the police as often no better, and sometimes much worse, in their revealed disrespect for the values of the community. The gang members are, after all, children of the community, and they are motivated largely by concern for community interests. Police failures tend to feed on themselves by enhancing the relative legitimacy of gangs, encouraging kids at the margin to be more inclined to become gang members.

The Akerlof-Yellen theory predicts that community members will tend to cooperate more with

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### Note to Readers:

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Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.

(Scott Reinbolt, a 14-year law enforcement veteran, is an investigator with the Office of Prosecuting Attorney in Richland County, Ohio, where he commands the Unsolved Homicide Unit. He holds a bachelor's degree from Ashland College in Ohio and a law degree from the University of Akron, and has attended police executive training sessions at Northwestern University and the Southern Police Institute. This article is dedicated to the late Sgt. Neil Grafton of the Mansfield Police Department: "May these songs comfort and cheer.")

(Brian Forst is Professor of Justice, Law and Society at the American University School of Public Affairs in Washington, D.C. The former research director for the Institute for Law and Social Research (1974-85) and the Police Foundation (1985-89), Forst is the co-author, with Peter Manning, of "The Privatization of Policing: Two Views," published in 1999 by the Georgetown University Press. Forst's article "Policing in the Era of Terrorism" appeared in the March 15/31, 2002, issue of Law Enforcement News.)



# Making sense of community policing, at last

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the police when they perceive that the benefits of police interventions against gangs exceed the costs to the community, when they regard the criminal justice system as fair, and when they sense that the police care about the community's values.

The police, in short, are in a struggle for the hearts and minds of inner-city residents, and they often lose this battle through displays of arrogance, insensitivity and injustice. The police thus undermine their own legitimacy by feeding the arbitrary rule of gangs and their unique styles of enforcement. (Imagine a Woody Allen ending to Zelig-style community policing: "Apologies to Ms. Jackson in the South Bronx; we didn't realize that was *your* son we banged up a little the other day.... He seemed like another bad-ass gang member, and we just thought that a proactive zero-tolerance policing approach would be good for your community.")

Akerlof and Yellen's theory is specifically about gangs, but it has larger implications for policing: If the police respect the members of the communities they are sworn to serve, the actions that grow out of such respect could do much to build social capital in those communities. David Klinger observed in the journal "Criminology" in 1997 that the police are often inclined to be most cynical in areas they perceive to be most deviant. Such an attitude is likely to be counterproductive both immediately and, to the extent that it erodes trust, over the long term.

Every community stands to benefit from stronger bonds of trust and social capital. Crime and delinquency are pernicious both because they undermine

## Community policing remains more dramaturgy than philosophy, a set of stories about broken windows and empowerment.

social capital and because they reflect a deficit of social capital in the community in the first place. The police need not be social workers, but they should be responsible for building social capital in the community to the extent that their doing so reduces crime. The test of success of any community policing initiative is the degree to which it reduces crime and delinquency by building social capital.

How might the police build trust and social cohesion in a neighborhood? First, following Akerlof and Yellen, by doing what is needed to *earn* the trust of the residents. Second, by working to protect and strengthen informal social control agents in the area: parents, churches, schools, neighborhood watch groups, and the commercial establishments that provide jobs and goods and services to the community. Third, by protecting parks and other public spaces that can give rise to, and sustain, social interactions. By strengthening the ability of personal networks to control incivility and disorder, the police can not only reduce the signs of crime but, more importantly, enhance the social infrastructure needed to build trust and vibrancy, thus reducing opportunities for crime and providing incentives to engage in legitimate activity.

This is no simple matter. Social disorganization in any neighborhood is likely to have distinct elements, and

various police interventions are likely to have different impacts on each element in different neighborhoods and, in turn differential crime impacts, depending on the unique ethnic mix, social stability and physical layout and dimensions of the area. This is likely to involve complex interactions and conflicts among groups and agencies, with intricate racial and socioeconomic status effects, and different levels of fear and vulnerability experienced by different residents.

These complexities need not deter the inquiry; they should be examined and understood. They help us to comprehend why community policing interventions have tended to have the least success in the most crime-plagued neighborhoods. Some of the findings of more systematic inquiry into the effects of police interventions on social capital and crime are likely to be less complex, with fairly straightforward implications.

### Measuring Social Capital

Any theory of community policing based on social capital can be tested only if we develop decent measures of social capital. Otherwise, the concept will be no more useful than such elusive notions as "empowerment" and "bridge-building" and "community." If social capital is to be routinely useful to the police, we must find a way to

operationalize the concept and embed it in systems of police accountability. How, then, do we measure social capital?

To measure a concept, we must first define it. The phrase "social capital" was coined by Jane Jacobs in 1961 as a loose reference to neighborhood networks. Akerlof and Yellen do not refer to social capital per se, but citing Jacobs, build their model on "the necessity for strong community norms against crime." Social capital, in a nutshell, is about much more than broken windows. It involves not so much individual acts of guardianship as a web of collective interests.

Robert Sampson, Stephen Raudenbush and Felton Earls measured a close variant of social capital — "collective efficacy" — which they defined as the stock of social cohesion and trust in an area, the reverse of social disorganization. Theorizing that collective efficacy is bolstered by stronger informal social control systems in a neighborhood, they surveyed nearly 9,000 Chicago residents in 1995 to measure the extent to which the neighbors felt closely knit, helped others, were willing to intervene to break up fights among local kids, and shared similar values with their neighbors. They found that neighborhoods that scored high on collective efficacy tended to have lower rates of transience and higher levels of cultural homogeneity — and lower crime rates — than those with low collective efficacy scores.

Social capital, in short, comprises a mix of factors that describe the levels of social cohesion, trust, willingness to help others in distress, and sense of obligation generally to others in an area.

Precisely how these factors combine and relate to one another is an interesting and potentially important question, one that has yet to be fully explored. In the meantime, it should be useful to see how each component can be influenced by the police, and how each in turn affects crime.

We measure crime, unemployment, morbidity and mortality rates in each area. Why not social cohesion, trust, altruism and satisfaction with police service? Standard measures are available. Each measure has its own set of imperfections, but the alternative of not measuring at all is far worse. Information about social capital, tracked in, say, two- to four-year intervals, would benefit not just the police, but all organizations, public and private. If conducted uniformly across communities, it would be possible to examine the extent to which each major sector of the community, including the police, contributes to social capital generally, and how social capital deters crime.

### Community Policing's Future

Community policing is often described as a philosophy of policing. To the extent that any philosophy is a coherent body of thought, one must ask which part of community policing qualifies as philosophy. As currently conceived, community policing remains more dramaturgy than philosophy, a set of stories told about broken windows and bridge building, proactivity and empowerment, autonomy and innovation.

The most fundamental elements of community policing are not unique to policing; they have occurred throughout our society, in the public and private sectors alike. As the world has changed from a brick-and-mortar economy to a service economy, much more attention has been paid to finding ways of delivering service more responsively. The insensitive rule-bound behaviors that have long been associated with public bureaucracies and private monopolies have been largely diminished in the process. Meanwhile, communitarian thinking has blossomed all around us.

There is no way that the autocratic style of policing that we identify with the 1950s could have held up under contemporary trends toward more civil and effective service. Community policing was bound to happen under some name, and the one we've attached to more service-oriented, social capital-building policing is as good as any.

The core elements of community policing, aimed at strengthening informal social control mechanisms and trust in the community, are critical to the sustenance of a vibrant society. If we can keep our eye on this ball, work more diligently to understand the relationships among policing interventions, social capital and crime, and rid ourselves of the silly euphemistic jargon that has attached to community policing, we may be able to move community policing beyond Zelig. This could serve us especially well as police throughout the land attempt to find ways of responding effectively to the new needs for in-depth understanding of the community in the era of terrorism. It is still not too late to bring coherence and greater legitimacy to the idea of community policing. Our survival might depend on it.

## Hans Toch's boat-rocking ideas for reducing work-related police stress

Continued from Page 12

percent of the city and 50 percent of the suburban respondents said yes. The survey also identified sources of personal stress for city officers as situations relating to death or injury, unfair civilian complaints and subsequent treatment by the department, and problems with supervisors and other officers.

One surprising finding was that men experienced more family-related problems than did women and suffered greater impact from these problems. Toch explains this finding by suggesting that the male group was considerably older than the female group, included more married participants, and was therefore experiencing more marriage and family problems. The age factor also appeared in the work-related stress area. Older officers reported more work stress, Toch believes, because they were suffering from "diminished career aspirations and limited opportunities and organizational supports" and were consequently more cynical and dissatisfied with the job.

A chapter is devoted to the stress of officers who cultivate a specialty that is then not supported by the department. These "self-actualizers" are highly motivated to develop skills that the department regards as desirable but does not allow them the opportunity to use. Toch offers a fascinating description of the obstacles to the integration of the officer's and the department's goals, ob-

stacles that one could label "peer culture." He implies that a source of stress for the self-actualizer in police work is the peer culture, which promotes not doing more work. There is also a chapter on critical-incident stress that advocates the use of critical incident teams to bring about organizational change by challenging peer culture norms such as never appearing soft or feeling vulnerable. Another potential advantage of the critical incident team is in the development of new training procedures to deal with violent or tragic situations.

Toch's recommendations for reducing work-related police stress include some familiar "person-centered" interventions for dealing with individuals experiencing stress (individual and family counseling, peer counseling, emergency financial assistance, child care support, etc.), as well as some boat-rocking "organization-related" interventions. First, he recommends changing the recruit training paradigm:

"We could in fact start by treating the recruits as adults in the training academy, instead of self-consciously deploying demeaning regimentation and calling this a desirable 'stress training' model."

This proposal is essentially a call to de-militarize the police department and to replace it with a more corporate model for initiating employees into the organization. Although such reform is admirable, it is highly unlikely that the

chief of any department would take the risk because it threatens the only way he or she has to maintain some degree of command over the department. The military model has lasted as long as it has in police work because it is the only structure that permits senior administrators to have any influence over the behavior of officers in the street. Taking that leverage away threatens to make the higher-level administrators superfluous. A second problem with removing the "stress training" model is that it removes the police culture as an elite fraternity. By subjecting recruits to demeaning regimentation, the culture is telling recruits to renounce their self-concept as civilians if they are to belong to the police fraternity.

A second radical proposal made by Toch is to enhance "rank-and-file participation in the administration of police departments." He suggests the formation of study groups composed of different specialties and ranks to study organizational problems and to recommend solutions. Unions should also be included in the study-solution process, and teams of rank-and-file officers should implement the solutions. It requires a visionary chief with superhuman courage to take problem solving away from his or her circle of subordinates and share it with the cops in the precincts and the unions.

Toch proposes rotating officers through internal affairs as a way of cor-

recting perceptions that discipline is not even-handed. Rotating officers through such a sensitive unit and giving them access to classified material sounds like an incredible risk to take to promote harmony.

Finally, Toch says that true reform must come from the bottom up. "Because stress in policing results from top-down managerial practices," he asserts, "it obviously cannot be ameliorated through undiluted top-down organizational solutions." Ironically, his study was possible by the chiefs, the bosses at the top, who gave him access to their officers and who agreed to the focus groups. In fact, the city chief both participated in the process and agreed to try to implement any solutions presented to him. The fact that the departure of the city chief made the solutions of questionable value shows how important the top is if we are to have reform from the bottom up.

"Stress in Policing" is disappointing in that it does not tell us anything new about police stress. The meticulously collected data simply confirm the findings of previous surveys and of anecdotal information known for some time. The book is satisfying because of the lucid presentation of its reality-oriented methodology and its advocacy of radical administrative reform, which is bound to cause serious discussions of organizational structure and culture's effect on police stress.



# Upcoming Events

## MAY

4-7. **Economic Crime Summit.** Presented by the National White Collar Crime Center. Arlington, VA.

4-8. **Ohio Women's Law Enforcement Training Conference.** Presented by the Ohio Women's Law Enforcement Network. Columbus, Ohio. \$139-\$179.

4-8. **American Jail Association Annual Training Conference & Jail Expo.** Albuquerque, N.M.

5-June 2. **Understanding Terrorism (Online Course).** Presented by the Southern Police Institute. \$575.

5. **Use of Force Instructor Certification Course.** Presented by the National Criminal Justice Training Council. Pittsburgh, Pa. \$495.

5-6. **Less-Lethal Force Options: Selection & Policy Considerations.** Presented by the International Association of Chiefs of Police. Durham, N.H.

5-9. **Crime Analysis Training.** Presented by the Alpha Group for Crime & Intelligence Analysis Training. Newport News, Va. \$525.

5-16. **Homicide Investigation.** Presented by the Southern Police Institute. Lafayette, Colo. \$995.

12. **Use of Force Instructor Certification Course.** Presented by the National Criminal Justice Training Council. Philadelphia, Pa. \$495.

12-14. **Low Light Survival Shooting Instructor Course.** Presented by Streamlight Academy. Seattle. \$350.

12-16. **Crime Analysis Training.** Presented by the Alpha Group for Crime & Intelligence Analysis Training. Miami, Fla. \$525.

12-16. **Criminal Investigative Analysis (Criminal Profiling).** Presented by the Alpha Group for Crime & Intelligence Analysis Training. Las Vegas. \$525.

15-16. **Leadership & Quality Policing.** Presented by the International Association of Chiefs of Police. Spokane, Wash.

17. **Expanded Tactical Folding Knife Course.** Presented by Northeastern Tactical Schools. Northboro, Mass.

18-24. **Providing Executive Protection Program.** Presented by the Executive Protection Institute. Winchester, Va. \$3,190.

19-21. **Assessment Center Preparation.** Presented by the Southern Police Institute. Louisville, Ky. \$425.

19-21. **Statement Analysis Training.** Presented by the Alpha Group for Crime & Intelligence Analysis Training. Jacksonville, Fla. \$349.

19-23. **Basic Investigators School.** Presented by the New England Institute of Law Enforcement Management. Brockton, Mass. \$495.

19-23. **Crime Analysis Training.** Presented by the Alpha Group for Crime & Intelligence Analysis Training. Ocala, Fla. \$525.

19-23. **Teaching Diversity: Train-the-Trainer for Law Enforcement Professionals.** Presented by the Institute for Law Enforcement Administration. Toronto. \$545.

20-22. **Crime Scene Response for New Detectives.** Presented by the Southern Police Institute. Louisville, Ky. \$425.

21-22. **Protective Investigations: Threat Assessment & Threat Management Techniques.** Presented by the Douglas County Sheriff Reserve Deputies Unit. Omaha. \$210-\$250.

21-23. **High Impact Supervision.** Presented by Pennsylvania State University. East Brunswick, N.J. \$330.

21-23. **Low Light Survival Shooting Instructor Course.** Presented by Streamlight Academy. Salt Lake City. \$350.

24. **Tactical Folding Knife Course.** Presented by Northeastern Tactical Schools. Northboro, Mass.

24. **Expanded Tactical Folding Knife Course.** Presented by Northeastern Tactical Schools. Northboro, Mass.

25. **Firearms Disarming, Retention & Recovery Course.** Presented by Northeastern Tactical Schools. Simsbury, Conn.

25-28. **The Protectors Pistol Defense Program.** Presented by the Executive Protection Institute. \$990.

## For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

Alpha Group Center for Crime & Intelligence Analysis Training, P.O. Box 8, Montclair, CA 91763. (909) 989-4366. Fax: (909) 476-8271. Web: <www.alphagroupcenter.com>.

American Jail Association. Fax: (301) 790-2941. Web: <www.aja.org>.

Douglas County Sheriff Reserve Deputies Unit, 3601 N. 156th St., Omaha, NE 68116. (402) 444-6683. Email: <ajohnson@co.douglas.ne.us>.

Executive Protection Institute, Highlander Lodge, P.O. Box 802, Berryville, VA 22611. (540) 554-2540.

Institute for Law Enforcement Administration, 5201 Democracy Dr., Plano, TX 75024. Web: <222.theilea.org>.

International Association of Chiefs of Police, 1-800-THE-IACP.

National Criminal Justice Training Council, P.O. Box 1003, Twin Lakes, WI 53181-1003. (262) 279-5735. Fax: (262) 279-5758. Web: <www.ncjtc.org>.

National White Collar Crime Center, 7401 Beaufort Springs Dr., Suite 300, Richmond, VA 23225-5504. (800) 221-4424, ext. 362. Web: <www.summit.nw3c.org>.

New England Institute of Law Enforcement Management, 34 School St., Brockton, MA 02301. (508) 427-9340. Fax: (508) 427-9356. Web: <www.ncilem.com>.

Northeastern Tactical Schools, P.O. Box 591, Nutting Lake, MA 01865. (978) 667-5591.

Ohio Women's Law Enforcement Network, Attn: S/L Virginia Fogt, OWLEN Conference Director, (614) 466-6019. Email: <vfogt@dps.state.oh.us>.

Pennsylvania State University, Penn State Justice & Safety Institute, (814) 863-0079.

Southern Police Institute, University of Louisville, (502) 852-6561. Web: <www.louisville.edu/a-s/ja/spi>.

Streamlight Academy, 1-800-393-0705. Email: <info@shirazmarketing.com>. Web: <www.streamlight.com>.

## Forum: Big results from thinking small

Continued from Page 13

enforcement. We watched closely, and the sales tax passed in November 1999. In December, the Prosecuting Attorney and I appeared before the commissioners with a proposal for the formation of what is likely the world's smallest unsolved-homicide unit. The commissioners approved \$25,000, and we were on our way.

Mayer moved me into a larger office that became our "squad room." We found a surplus desk and file cabinets. We made use of cars already owned by the Prosecuting Attorney's Office, and set out to hire three or four talented investigators. I didn't realize how hard that would be. If closed minds were gold, law enforcement would be Fort Knox. We suffered a backlash from traditional law enforcement agencies in the county that resented our active involvement in homicide investigation. It seemed that it was O.K. if we were just fiddling with the old cases, but if we were organized into a unit we were somehow a threat. I have always turned to older heads when a crisis arises. The old-timers told me to hire the best we could and ride it out, speculating that the tide would turn once we solved our first case.

Ironically, while we were scorned by many members of the law enforcement community, we were embraced by the media and politicians. Our low overhead, low bureaucracy approach was a hit with the county commissioners, and anything that puts homicides on the front page is a media boon.

We hired two out-of-county detectives, along with a proactive street officer and a maverick detective. While it wasn't what I had in mind, it got the job done for the first year, and made it clear that we were around to stay. That first year gave us the opportunity to show that we weren't out to embarrass or outshine anyone. Any information that we developed on active cases was passed on to a traditional agency, and informal word of mouth clarified our mission. We began to re-contact local cops who had turned down job offers;

two of them accepted employment.

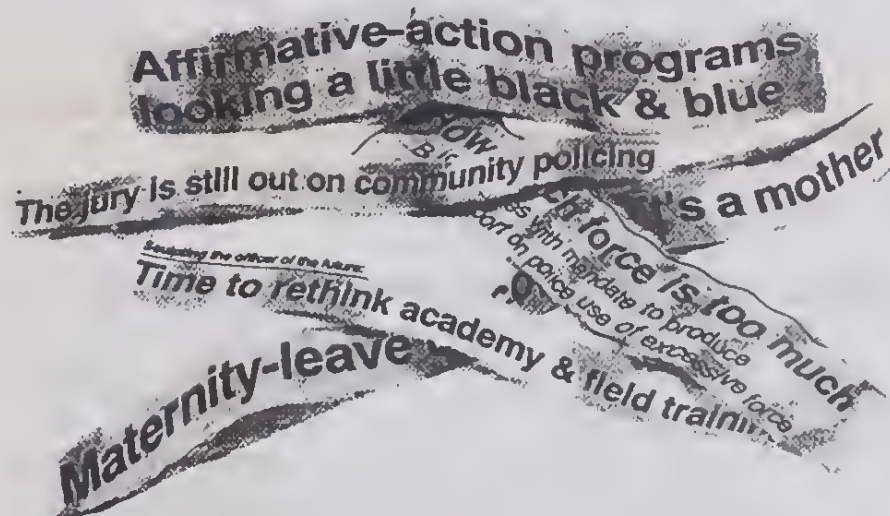
We also learned that the federal Local Law Enforcement Block Grant program is a nearly strings-free endeavor. At the end of 2000, we applied for and received \$10,000 in additional funding under this program, bringing our annual budget to a whopping \$35,000. Receiving the grant funding was also a learning experience. Those well versed in these matters insisted that our part-time crew would draw their pay and do little else, insisting that, while not required by the grant, "activity logs" and close supervision were absolutely necessary. We insisted that hiring police officers of good character would avoid the problem. They cackled while we worked.

As we finish our third year of operation, we are receiving unsolicited applications for part-time employment from the "A" list of local police officers. We average around 125 part-time man-hours per month spread between three or four detectives, who average about eight hours per week in the unit. Regardless of their full-time employer, each investigator receives an appointment as a Prosecuting Attorney's Investigator to avoid any questions of liability or chain of command.

The part-timers answer to me, and I answer to the Prosecuting Attorney. The prevailing philosophy of the unit is to provide a bureaucracy-free environment, where talented investigators can push the envelope to clear unsolved murders. The small size of the unit lends itself well to this philosophy. In January 2002 we made an arrest in the Judy Ann Bruce homicide, and a conviction was obtained in May. At this writing we have presented our second case to the Prosecuting Attorney and are making progress on two other cold murders.

While 125 man-hours per month spent on a cold homicide case may seem like a drop in the bucket to many in this profession, it can be said from our experience that it makes a tremendous difference to those outside of this profession: the victims and their families. And, after all, it is they whom we were meant to serve.

## Headlines are not enough



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# Law Enforcement News

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## This is not a drill

At the worst possible moment, a police department learns that its emergency alert system doesn't work. **Page 1.**



## Earning their stripes

What separates exemplary sergeants from the rest of the pack. **See Page 1.**



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### What They Are Saying:

**"Cops aren't perfect. But there are more good officers than bad ones in the department, and they deserve to have their department shown in a decent light."**

— Los Angeles Police Department public information director Mary Grady, on the LAPD's the conscientious image-management that goes into its relations with film and TV producers. (Story, Page 11.)